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The HINDU
Analysis
17th March
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The Sarkaria Commission reports

- In the case of a **hung legislature**, is the **Governor** bound to follow the constitutional convention to **call upon the single largest party** to form the government and prove its majority in the House?
- With **only 13** legislators in the 40-member Assembly-**BJP**
- **Congress**, was short of a majority too, winning **17 seats**- choosing a leader.
- The **Supreme Court’s** decision to not stay Governor Mridula Sinha’s invitation to the **BJP** to form the government may have, at least partially, blunted the criticism that she acted in a **partisan manner**- The SC, in turn, said the **Congress did wrong by not staking its claim** to form the government.
- **Confidence motion** or **trust vote** is a procedure by which a government proves that it enjoys the confidence of the majority of the **members of Lok Sabha**.
- **Sarkaria Commission** was set up in June 1983 by the central government of India.
- **The Sarkaria Commission’s** charter was to examine the relationship and balance of power between state and central governments in the country and suggest changes within the framework of Constitution of India.
Sarkaria Commission recommendations, which were affirmed by a Constitution Bench of the SC in *Rameshwar Prasad v Union of India* in 2005.

The Commission report specifically dealt with the situation where no single party obtained absolute majority.

It provided the order of preference the Governor should follow in selecting a Chief Minister in such a fluid situation:

1. An alliance of parties that was formed prior to the elections.
2. The single largest party staking a claim to form the government with the support of others, including independents.
3. A post-electoral coalition of parties, with all the partners in the coalition joining the government.
4. A post-electoral alliance of parties, with some of the parties in the alliance forming a government and the remaining parties, including independents, supporting the government from outside.
Conclusion...

- It is clear that the leader of the party which has an absolute majority in the Assembly should be called upon by the Governor to form a government.
- However, if there is a fractured mandate, then the Commission recommends an elaborate step-by-step approach and has further emphasised that the Governor should select a leader who, in his/her judgement, is most likely to command a majority in the Assembly.

Q- Critically analyze the evolving relationship between Centre & states in country
Return to normal

- **Intro:** U.S. Federal Reserve has resumed normal monetary service by raising interest rates for the second time in three months.
- The Fed’s decision on Wednesday reflects its confidence in the continuing expansion and signals that its efforts - the world’s largest economy are largely on track — with overall inflation seen to be stabilising around its longer-run target of 2% over the next couple of years.
- Chair Janet Yellen stressed that policymakers expect the strengthening economy would warrant “gradual increases”.
- Projection for the signalling rate to reach 1.4% at the end of the year, from the current 0.75%-1.0% range.
- The statement has allayed fears of an accelerated rate normalisation, that could have triggered a sharp jump in outflows from emerging markets such as India.
- Investors worldwide are bound to feel more reassured that one of the world’s key economic engines is in good shape and that should bode well for global demand.
Conclusion...

- While acknowledging that it is still too early to anticipate exactly how the Trump administration’s fiscal policies may unfold.
- There is also the matter of when the Fed may decide to initiate the process of normalising its balance sheet.
- Given that the central bank’s holdings of Treasury bonds and mortgage--backed securities reached record levels in the aftermath of the 2008 financial crisis.
- Any plan to begin unwinding these holdings will need to be very carefully calibrated and communicated in advance to ensure that global markets don’t witness a repeat of the ‘taper tantrum’ of 2013.
- Ms. Yellen stressed just that when she said the Fed “as a matter of prudent planning” had discussed issues related to an eventual change to its reinvestment policy and, while no decisions were taken, would ensure that the process be “gradual and predictable”.
Missing the spirit for the body

- **Intro:** Central Board of Film Certification [Q-Ministry of +Chairperson-?] [first film in India-1913-Film name+ produced-?].
- It has turned down yet another film. This one, Ka Bodyscapes.
- By its act the Board has lowered its credibility, and by association that of the Indian republic in whose name it acts.
- It is time that its authority to effectively ban films should go.
- It has revealed itself as tendentious, driven by prudery, ignorant of India’s history and unmindful of the Constitution.
- So what is the film about?
- We get an idea from the writ petition filed in the High Court of Kerala seeking restraint on the CBFC’s virtual ban.
- The director, the petitioners clarify that the film is about societal attitudes towards individual freedom and is not a critique of religion.
Board has objected that: the film is glorifying the subject of gay and homosexual relationship, nudity accentuating vital parts of male body (in paintings).

The Board appears to not have heard of court judgments which categorically reject the argument of ‘law and order’ as a criterion for banning a film.

As for religious sensibilities, the Constitution gives an individual the freedom to practise his or her religion- India is a secular republic- Therefore, all Indians are subject to the laws of the land.

A more sensational instance of this was when Salman Rushdie’s The Satanic Verses was banned under the Customs Act- By taking recourse to religion.

Religion should have no role to play in determining the sexual lives of people.

The Board has taken the law into its own hands as there is no legal stricture on the representation of homosexuality in any form.
Conclusion...

- The most promising way of seeing the film is to see it as showing how Indians are rejecting social strictures (निदान) to follow their instincts (प्रवृत्ति).
- Many films on the same theme clumsily purvey stereotypes, are historically inaccurate and politically naive.
- However, accounts are that this one at least presents gay relationships in a self-affirming way for a change.
Leaving no one behind

- **Intro:** National Institution for Transforming India (NITI Aayog) [Q- Chairman-?] is formulating a Vision of 2030 document.
- This document is coterminous with the UN’s 2030 Sustainable Development Goals (SDGs), all 17 of which equally affect persons with disabilities as they do any other citizen.
- The National Centre for Promotion of Employment for Disabled People conducted a seminar in December 2016.
- The government, the private sector, and leaders from various development fields participated to take stock of the current situation and deliberate on how disability could be integrated in Vision 2030.
- A starting point was that the government, the NITI Aayog, and all the associated stakeholders should interpret the provisions of the SDGs in line with the requirements and spirit of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)
The knowledge of MPs and State legislatures must be refreshed on the rights, needs and issues of persons with disabilities based on the changing disability landscape, the UNCRPD, and the Rights of Persons with Disabilities Act, 2016.

The NITI Aayog must invest effort in building awareness for NGOs, academics, civil society, the private sector, etc., in order to articulate a disability-inclusive development agenda.

Persons with disabilities must be seen as integral to the decision-making process and not as an afterthought.

There must be seven-year checkpoints for ministries or departments to assess the outcomes- to make these targets accountable and realise them within a specified time period.

However, disability is an issue that cuts across several ministries; it is not just a subject for the Ministry of Social Justice and Empowerment.

Specific budgets need to be allocated across initiatives and ministries to address the needs of persons with disabilities.
Conclusion...

- All data must be available in the public domain, and published in an accessible format and in a timely manner.
- The NITI Aayog should call for a national-level consultation with cross-disability groups and arrive at a consensus on the right question, which should then be unified across all data instruments of all sources of demographic information, including the impending Unique Disability ID, the population census, civil registration, sample surveys conducted by the National Sample Survey Organisation, Sample Registration System and for all social schemes.
- The overarching principle of Vision 2030 is to “leave no one behind”.
- We, as disabled citizens, are anxious to learn how this crucial document, which will encompass the SDGs 17 goals and 169 targets, will be inclusive of our needs and aspirations.
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Are injectable contraceptives advisable?

Instead of putting its efforts into improving the delivery of existing contraceptive methods, the government has recently chosen to introduce the injectable contraceptive, depot medroxyprogesterone acetate (DMPA), which is known to have adverse effects on women’s health.

- Simply put, if a family is convinced that their one child or two children will not only survive but be healthy, they won’t have more children.
- Even rural women, today want fewer children.
- The Government of India guidelines on the injectable contraceptive mention side effects like menstrual changes, irregular bleeding, prolonged/heavy bleeding, amenorrhea (stopping of menstruation), weight gain, headaches, changes in mood or sex drive, and decrease in bone mineral density.
- Moreover, studies from Africa have shown that the risk of HIV infection may increase for women
- Regular stock-outs of oral contraceptives and condoms, lack of training to the auxiliary nurse midwife, the rampant violation of the guidelines for sterilisation, which in 2014 led to the deaths of 13 women.
- The government should have been more cautious in introducing this method.
- The government actually aims to control women’s fertility rather than uphold their reproductive rights.

The Health Ministry is in the process of introducing injectable contraceptives in the National Family Planning Programme (NFPP), with the aim to expand the basket of choices available to women.

- Introducing modern methods of family planning is a major part of the reproductive, maternal, newborn, child, and adolescent health (RMNCH+A) strategy to improve maternal and infant health indicators.
Indian women make an informed choice when they pick a type of family planning or spacing method.

After Bilaspur (where 13 women died in a government-run sterilisation camp), we have tried to improve the quality of sterilisation services.

Supreme Court too appreciated in its 2006 judgment, which set guidelines for female and male sterilisation services on that case.

We take quality assurance seriously and are thus in the process of doing away with the camp approach in a phased manner.

Nobody can force this on women in this country, coercion is against the law and the programme is not target driven.

The World Health Organisation and most professional bodies have advocated its use.

The Health Ministry took this decision to not compromise on quality.

Ministry is painfully aware that male participation needs to increase.
Family planning is a crucial public health programme, directly linked to the health of women, children and families.

The real conversation we should be having is about prioritising men’s participation in family planning.

We need to stop referring to family planning and sexual and reproductive health and rights as women’s issues.

They are as much men’s issues, society’s issues, moral issues, ethical issues, and issues of social justice and human dignity.

In 2005, the National Family Health Survey-3 (NFHS) revealed that 1% Indian men were opting for sterilisation (बंध्याकरण) services.

Evidence suggests that the involvement of men in family planning has many benefits.

It can act as a catalyst towards improving maternal and child health indicators, increasing contraceptive uptake, and enabling women to exercise their autonomy and reproductive rights.
To address these challenges,
1) A systematic integrated approach with information,
2) Education and communication activities for men aimed at dispelling myths
3) Misconceptions could result in a better uptake of contraceptives and an increased shared responsibility towards family planning.

New methods, new fears
In 2015, the Ministry of Health and Family Welfare (MoHFW) announced the introduction of three new contraceptive methods —
1) Progestin-only Pills,
2) Centchroman and
3) Injectable contraceptives
DMPA has led to concern in terms of the possible side effects.
Women should not be bound to use a method due to lack of contraceptive choices, which would be a direct violation of rights.
Last week, a team from China reported intriguing (fascinating) results from CRISPR-modified human embryos.

Whenever there’s progress in the field of genetics, there’s cause for worry.

For some years now, these mixed feelings are being evoked by a gene altering technology called CRISPR (clustered regularly interspaced short palindromic repeats), which refers to a suite of gene editing techniques.

It can be used to target specific stretches of genetic code and to edit DNA at precise locations.

So far, all of the CRISPR-related research is focused on plants, animals.

The Committee on Human Genome Editing said in a report last month that gene-editing techniques were too risky to be made widely available.
Be Happy, Share & Help Each Other!!!
News Analysis

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- Health spending to be 2.5% of GDP
- The Centre on Wednesday cleared the long-awaited National Health Policy 2017, which promises to increase public health spending to 2.5% of GDP in a time-bound manner and guarantees health care services to all Indian citizens, particularly the underprivileged.
- Mr. Nadda said - The policy aims to move away from ‘sick care’ to ‘wellness’.
- The government will pursue ambitious targets like reducing Under Five Mortality to 23 by 2025 and Maternal Mortality Ratio from current levels to 100 by 2020, and Infant Mortality Rate to 28 by 2019.
GST laws ready

The Goods and Services Tax Council has approved a 15% ceiling on the cess to be levied on aerated drinks and luxury cars over and above the maximum proposed GST rate of 28%.

The enabling laws for the States and the Union Territories were also approved at the Council’s meeting on Thursday, paving the way for the adoption of the new indirect tax regime.

While beedis have been kept out of the GST net, separate cess ceilings have been approved for pan masala and tobacco products, including chewing tobacco and cigarettes.
Three other laws

With the Council having already cleared three other GST laws —

1) Pertaining to central GST,
2) Integrated GST and
3) The compensation to be paid to States for loss of revenue

This paves the way for the Centre and the States to pilot the new indirect tax system, proposed to be introduced from July 1, through Parliament and the Assemblies.

Four of these laws have to be cleared by the Centre in Parliament.

Apart from zero-rated goods, four tax rates of 5%, 12%, 18% and 28% have been proposed under the GST.
Heated exchanges in RS over child trafficking case.
over the alleged involvement of a BJP leader in the Jalpaiguri (West Bengal) child trafficking case.
40 per cent of human trafficking cases in India are reported from Assam and West Bengal.

Industries get 6 months for retrospective green nod.
Union Environment Ministry has given a six-month window and a “one-time opportunity” to industrial projects functioning without environmental clearance (EC) to apply for a back-dated green certificate.
Security high as Pakistan begins first census in 19 yrs.
Around 1,18,000 ‘enumerators’ will gather data from across the nation in 70 days
Pakistan is planning to declare the strategic Gilgit-Baltistan region as its fifth Province, a move that may raise concerns in India as it borders the disputed Pakistan-occupied Kashmir.
$46 billion China-Pakistan Economic Corridor passes Delhi rejects Pak. move to integrate province
U.S. lawmakers back green cards for STEM graduates

Advanced degree in Science, Technology, Engineering and Mathematics (STEM) in the country should be given permanent residency in America.

There are 1,32,888 Indian students in the U.S., second only to the Chinese.

Green card also refers to an immigration process of becoming a permanent resident.

The green card serves as proof that its holder, a lawful permanent resident (LPR), has been officially granted immigration benefits, including permission to reside and take employment in the United States.

Federal judges block Trump’s new travel ban

Revised executive order to temporarily close U.S. borders to refugees and nationals from six Muslim majority countries.

In budget, Trump puts military over diplomacy

Funds for State Department slashed by 28% for next fiscal
China should take a fresh look at ties with India: Report

Following the recent assembly elections, which demonstrate the likelihood of Prime Minister Narendra Modi’s long-term dominance over Indian politics.

An op-ed in the *Global Times* on Thursday said the BJP’s “sweeping electoral victory in Uttar Pradesh” has “not only increased Modi’s chance to win the 2019 general elections, some even predict he is already set for a second term”.

U.S. trade nominee for ‘aggressive’ steps on IP

IPRs have been a bone of contention between U.S., India

Several American companies and lawmakers have been pressing the administration for stricter measures.
Food, drink giants plot fightback as rules tighten
India’s idea of ‘fat tax’ on ‘junk’ food worries foreign chains
Alarmed by rising rates of obesity and diabetes, India
Possible impact on the $57 billion sector.
It is also considering a nationwide “fat tax” for so-called “junk foods,”

Indian-American teenager Indrani Das won the top prize of $2,50,000 (₹1.63 crore) in the Regeneron Science Talent Search competition in the U.S. for her research on treating brain injury and disease.
It’s not so green for Kerala on tourism rankings
It may be ‘God’s Own Country,’ and one of ‘50 places of a lifetime’ to some, but Kerala has found it difficult to climb up the popularity charts among domestic tourists.

Union Tourism Ministry’s provisional figures for Domestic Tourist Arrivals for 36 States and Union Territories for 2016 has kept Kerala pegged at 18th position, unchanged from the previous year, despite an aggressive State marketing campaign.

Tamil Nadu and Uttar Pradesh score first and second ranks for the year.
Madhya Pradesh is third, and Andhra Pradesh, Karnataka and Maharashtra are in fourth, fifth and sixth positions.

Industry sees handicaps- Lack of extensive air connectivity, curbs on liquor sale and difficulties with holiday facilities, dining and entertainment block growth

The State’s growth of 5.67% in domestic tourists is well below the 15.5% rise for all States and UTs during 2016, over 2015
New Zealand river gets legal status as a person
A New Zealand river revered by the Maori has been recognised by Parliament as a “legal person”, in a move believed to be a world first.
The Whanganui river has been formally declared a living entity.
“This legislation recognises the deep spiritual connection between the Whanganui iwi (tribe) and its ancestral river,”

U.K. grants doctors First licence to create 3-parent babies
IVF treatment, which involves removal of faulty mitochondria.
IVF technique designed to prevent inherited genetic diseases.
Remove mitochondria, which act as tiny energy-generating batteries inside cells.
Janet Louise Yellen (born August 13, 1946) is an American economist. She is the Chair of the Board of Governors of the Federal Reserve System.

Normalization is the process of removing non-recurring expenses or revenue from a financial metric.

An interest-bearing bond issued by the US Treasury.

A mortgage-backed security (MBS) is a type of asset-backed security that is secured by a mortgage or collection of mortgages. The mortgages are sold to a group of individuals (a government agency or investment bank) that securitizes, or packages, the loans together into a security that investors can buy.

Taper tantrum is the term used to refer to the 2013 surge in U.S. Treasury yields, which resulted from the Federal Reserve's use of tapering to gradually reduce the amount of money it was feeding into the economy.

Tapering is the gradual winding down of central bank activities used to improve the conditions for economic growth. These can include changes to conventional central bank activities, such as adjusting the discount rate or reserve requirements, or more unconventional ones, such as quantitative easing (QE).

National Centre for Promotion of Employment for Disabled People (NCPEDP) is trust established in 1996. It was created with the help of Rajiv Gandhi Foundation. The organization philosophy is that society needs to change traditionally held views of "charity and welfare to those of productivity and empowerment of disabled people".
The Central Board of Film Certification (CBFC) is a statutory censorship and classification body under the Ministry of Information and Broadcasting, Government of India. It is tasked with "regulating the public exhibition of films under the provisions of the Cinematograph Act 1952". Films can be publicly exhibited in India only after they are certified by the Board, including films shown on television. CBFC India is considered to be one of the most powerful film censor boards in the world due to its strict ways of functioning.

Though the first film in India (Raja Harishchandra) was produced in 1913 by Dadasaheb Phalke,

- NITI Aayog - the National Institution for Transforming India is a Government of India policy think-tank established by the Narendra Modi government to replace the Planning Commission which followed the top-down model.
- The stated aim for NITI Aayog's creation is to foster involvement and participation in the economic policy-making process by the State Governments of India.
- The emphasis is on bottom-up approach and make the country to move towards cooperative federalism.
- The Union Government of India announced the formation of NITI Aayog on 1 January 2015,
✓ A **surcharge** of 10% on a tax rate of 30% effectively raises the combined tax burden to 33%.
✓ In the case of individuals earning a net taxable salary of more than Rs 1 crore, a **surcharge** of 10% is levied on tax liability.
✓ **CESS**—A **cess** is a tax that is levied by the government to raise funds for a specific purpose.

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**List of Governors**

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