

**POLITY**

❖ **Office of profit**

➤ **CONTEXT: Ramesh Bais, who was transferred as Governor of Maharashtra recently, has left the Raj Bhavan in Ranchi without making public the Election Commission's opinion on whether Chief Minister Hemant Soren should be disqualified for allegedly allocating a mining lease to himself when he was the mining and forest minister of Jharkhand.**

- The Governor sat on the EC's opinion for more than five months from August 2022, conduct that two former Chief Election Commissioners (CECs) of India described as being unfair, unethical, and unprecedented.
- It is widely believed that the EC had recommended Soren's disqualification which, if acted upon by the Governor, would have led to immediate political instability in Jharkhand. The EC's communication to the Governor is confidential.
- It is now up to the new Governor of Jharkhand, C P Radhakrishnan, to act on the EC's opinion.

➤ **What are the allegations against the Chief Minister?**

- At a press conference held in February 2022, Raghubar Das, released documents based on which he accused the Chief Minister of "misusing his post" to get "in-principle approval" for a stone quarrying lease in his name.
- Das alleged that Mining Department records showed that Soren, who held the mining portfolio at the time, approved the lease to himself in 2021 in violation of the provisions of The Representation of the People Act, 1951 and the Prevention of Corruption Act, 1988.
- As the opposition mounted pressure on the Chief Minister, a PIL was filed in the Jharkhand High Court seeking his prosecution. After the court described the allegations as serious and asked for a response, the government admitted on April 8 that it had committed "a mistake", and that the Chief Minister had "disassociated himself from it subsequently on 11.02.2022 by surrendering the lease".

➤ **Under what law was the matter referred to the EC?**

- Articles 191 and 192 of the Constitution deal with "Disqualifications for membership" of a state Legislative Assembly or Council, and "Decision on questions as to disqualifications of members" respectively.
  - ✓ Article 191(1) says that "a person shall be disqualified for being chosen as, and for being, a member" of a state House "if he holds any office of profit under the Government of India or the Government of any State, other than an office declared by the Legislature not to disqualify its holder".
  - ✓ Article 192(1) states that if "any question arises as to whether a member has become subject to disqualification, the question shall be referred for the decision of the Governor and his decision shall be final".
  - ✓ Under Article 192(2), "Before giving any decision on any such question, the Governor shall obtain the opinion of the Election Commission and shall act according to such opinion."
- Section 9A ("Disqualification for Government contracts, etc.") of The Representation of the People Act, 1951, states: "A person shall be disqualified if, and for so long as, there subsists a contract entered into by him in the course of his trade or business with the appropriate Government for the supply of goods to, or for the execution of any works undertaken by, that Government."
- Acting on petitions by opposition leaders, the Governor referred the matter to the EC on April 8. On May 2, the EC issued notice to Soren seeking his response to the complaint that he had prima facie violated Section 9A of the RP Act.

➤ **What did the EC say in its opinion?**

- The EC sent its opinion to the Governor in a sealed envelope on August 25 2022. Its opinion is not in the public domain; the EC has said its communication with the Governor is "privileged".
  - ✓ Sources have claimed that the EC "disqualified" Soren from membership of the Jharkhand House. However, despite repeated demands by the CM and his party, as well as by other parties in the state, the Governor declined to make the EC's opinion public or to act on it.
- Meanwhile, the Jharkhand High Court had ruled that the PIL seeking a probe against Soren for alleged money laundering through shell companies and obtaining the mining lease, was maintainable.
- Soren appealed and on November 7, the SC set aside the order of the High Court, saying that "for a High Court to take cognizance of the matter on generalized submissions which do not even make prima facie satisfaction of the Court, [was] nothing but an abuse of the process of the Court".
- The former Attorney General for India who represented Soren had submitted before the HC that "even the son of the CM, or CM himself", was "not debarred" from owning a mine.

➤ **Is the Governor bound to act in accordance with the EC's opinion?**

- Article 192(2) says that the Governor "shall act" according to the EC's opinion. However, it does not lay down a time frame for the Governor to act.
  - ✓ Governor Bais had told in late October 2022 that he had sought a "second opinion" in the matter. Thereafter, Soren had written to the EC asking if this was true and, if so, to make the Governor's request public. In response, the EC had clarified that it had received no such request.
- The delay in action by the Governor does not have any precedent, the Governors have to sign off on the EC's opinion, they cannot disagree.
- After the EC's opinion, various delegations met with the Governor and urged him to "clear the air" and disclose the EC's view on the CM's eligibility to continue as MLA. One of the memorandums accused the Governor's office of selectively leaking information to the media, which it said had created "a state of chaos, confusion and uncertainty, which vitiates the administration and the governance of the State".

On September 5, at a special session of the Assembly, the Chief Minister won a trust vote with 48 MLAs in the 82-member House, with the BJP and AJSU boycotting proceedings. Soren gave a speech accusing the opposition of trying to bring down his government, and attacked the Governor for not coming clean on the EC's recommendation.

**SCIENCE AND TECHNOLOGY**

❖ **Draft Geo-heritage Sites and Geo-relics (Preservation and Maintenance) Bill, 2022**

➤ **CONTEXT: A draft Bill, aimed at protecting India's geological heritage that includes fossils, sedimentary rocks, natural structures, has raised alarm in India's geo-sciences and palaeontology community.**

- The bill is aimed at protecting India's geological heritage that includes fossils, sedimentary rocks, natural structures.
- In 2009 also, the government had come up with the 'National Heritage Site Commission Bill', acting on the insistence of geologists. For years, the bill was sent to various committees and ministries for consultation, before being dropped in 2016.

➤ **The recent Draft Bill**

- India's rich geological monuments that capture the Earth's tumultuous, evolving history in the form of rocks, sediment, and fossils, are at the grave risk of being wiped out, experts have said, highlighting the need for a law to protect these from erosion.
- Thus, the Government has put out a draft bill, for the preservation and maintenance of India's geological heritage sites and relics.

• The Draft Geoheritage Sites and Geo-relics (Preservation and Maintenance) Bill, 2022, published for "public consultation" by the Ministry of Mines on 15 December, aims to protect and preserve these sites for "geological studies, education, research, and for future generations as it is a non-renewable asset".

➤ **India's Geoheritage**

- Examples of India's geoheritage are everywhere. The subcontinent's collision with Eurasia over 50 million years ago, which birthed the Himalayas, is considered among the most significant geological phenomena in its history.
- India also has one of the largest dinosaur fossil reserves in the world, found in Gujarat and Madhya Pradesh, as well as remnants of the oldest-life forms, called stromatolites, in Rajasthan and Madhya Pradesh. Caves and natural rock sculptures (found across states) are also geo relics of value.

➤ **Significance of the Bill**

- Geology has never been a part of India's public consciousness the way wildlife or forests have been. If we look at old colonial maps, everything without forest or tree cover was considered a wasteland, and that idea perpetuates today. The idea that landscapes have an intrinsic value is missing.
- The bill is an attempt to restore balance to an area of history that is often neglected, recognising that geoheritage sites deserve the same protection as biodiversity.

➤ **What the bill entails?**

- The Geological Survey of India (GSI) has made a list of 32 Geoheritage Sites in the country, among them volcanogenic minerals in Andhra Pradesh and wood fossils in Tamil Nadu. However, just placing these sites on a list hasn't assured them protection, according to experts.
- The proposed bill makes it possible for the Union government to declare a geological site as being of national importance, which would bring it within the ambit of the law. Once declared, respondents have two months to air any grievances, following which the government will move to acquire the land of the site through the Land Acquisition Act. As a default, the 100 meters around the site are considered a "prohibited area," and 200 meters around the site is a "restricted area", according to the proposed bill.
- Construction, reconstruction, and repair work of private property and buildings falling within the prohibited area are not allowed, unless explicit permission from the director general of GSI is secured.
- The bill also proposes to impose a penalty of up to five lakhs and/or a six-month jail term in case sites are destroyed, removed or defaced.
- Owners of land who face loss, damage, or diminution of profits because of the land acquisition "shall be paid compensation by the Central Government, as may be determined in such manner as may be prescribed.

➤ **Rationale**

- India is a signatory to the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage, adopted in 1972, which recognises it has a "duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage situated in its territory".

➤ **Concerns over the proposed law**

- The new proposed bill gives the Union government power to denotify geoheritage sites if it believes they have "ceased to be of national importance", without public consultation. This has, however, raised the concern of geologists.
- The question that has been raised is: How can a geological monument cease to be of importance? This opens the door to exploit these monuments for other purposes, like mining.

**Conservation effort**

The Draft Geo-heritage Sites and Geo-relics (Preservation and Maintenance) Bill, 2022 aims to be a law for the protection, preservation and maintenance of geo-heritage sites

**Definition:** Sites containing geo-relics and phenomena, stratigraphic type sections, geological structures and geomorphic landforms of national and international interest



■ Geological Survey of India has declared 32 geo-heritage sites/national geological monuments for protection and maintenance

■ The Bill prohibits construction, repair or renovation of any building in the area

■ As a signatory to the UNESCO Convention on Protection of the World Cultural and Natural Heritage, India is required to have a law on the same, including geo-heritage

- The GSI is not equipped to handle the task of geoheritage conservation, as it is primarily a research body that works on various missions. GSI has never done this kind of work. The Archeological Survey of India is more experienced in the conservation, preservation, and restoration of artifacts, and they have been doing it for geoheritage monuments with the help of geologists. The bill should allow for this possibility.
- Others have pointed out that the bill doesn't make provisions for monuments in areas under the Panchayat (Extension to the Scheduled Areas) Act, 1996, which gives these regions special governance mechanisms and special rights over land.
- The most concerning aspect of the bill is the lack of decentralisation in its operationalisation.
- **Demand of GSI and other experts**
- The bill must include collaborations with other departments, and give some powers to the state governments as well.
- At present, most geoheritage monuments are being looked after by state departments, and very few by the GSI. This must be acknowledged in order for the bill to be truly feasible.

### PRELIMS

#### 1. Marburg virus outbreak

➤ **CONTEXT: Equatorial Guinea has confirmed its first-ever outbreak of Marburg virus disease, following the deaths of at least nine people in Kie-Ntem province, the country's health minister said recently.**

- The World Health Organization (WHO) confirmed the outbreak in the small Western African country. "Further investigations are ongoing. Advance teams have been deployed in the affected districts to trace contacts, isolate and provide medical care to people showing symptoms of the disease.
- According to the WHO, so far nine deaths and 16 suspected cases have been reported. Symptoms so far have included fever, fatigue, as well as blood-stained vomit and diarrhea.

➤ **How deadly is Marburg virus?**

- The Marburg virus is part of the so-called filovirus family that also includes the Ebola virus, which has wreaked havoc in several previous outbreaks on the African continent.
- It is a highly dangerous pathogen that causes severe fever that often includes bleeding. The virus frequently targets several organs and reduces the body's ability to function on its own.
- There are no authorized vaccines or drugs to treat Marburg, but rehydration treatment to alleviate symptoms can improve the chances of survival. Depending on the strain and case management, the fatality rates for the virus range from 24% to 88%.
- During an outbreak in Angola in 2004, the virus killed 90% of the 252 people who were infected. In Ghana in 2022, two people died of Marburg.

➤ **Why is it called Marburg virus?**

- The rare virus was first identified in 1967 after it caused simultaneous outbreaks of disease in laboratories in Marburg, Germany and Belgrade, Serbia. Seven people died who were exposed to the virus while conducting research on monkeys.
- The natural carrier of the Marburg virus is the African fruit bat, which carries the virus but does not fall sick from it.
- But the animals can pass the virus to primates in close proximity, including humans. Human-to-human transmission then occurs through contact with blood or other bodily fluids.

#### 2. TARKASH

➤ **CONTEXT: An ongoing Indo-US joint exercise, named TARKASH, has for the first time included "Chemical, Biological, Radiological and Nuclear (CBRN) terror response" in its drill.**

- Currently being held in Chennai, Tamil Nadu, TARKASH is a joint exercise by the National Security Guard (NSG) and US Special Operations Forces (SOF).
- The new drill has been made part of the exercise in the backdrop of the Russia-Ukraine war. In 2022, Russia accused Ukraine of orchestrating a chemical attack in Kharkiv to blame Russia and receiving aid from the western countries.

➤ **How are the NSG and SOF preparing for the CBRN terror response?**

- The drill for CBRN terror response "involved small team insertion by IAF helicopters to the target area, successful intervention in a large auditorium, rescue of hostages and neutralisation of the chemical agent weapon."
- The exercise also included a drill for tackling chemical and biological attacks by terrorists. The mock validation exercise involved a terrorist organisation armed with chemical agents threatening to attack a convention hall during an international summit.
- The objective of the joint exercise by NSG and US (SOF) teams was to rapidly neutralise the terrorists, rescue the hostages safely and deactivate the chemical weapons being carried by the terrorists.

➤ **What are CBRN weapons?**

- CBRN weapons have the capability of creating mass casualties as well as mass disruption and therefore, are classified as weapons of mass destruction. According to a 2005 study, the range of these weapons is quite extensive.
- Chemical weapons include mustard gas (which damages the respiratory tract, skin, and eyes) and nerve agents (victims rapidly become unconscious, have breathing difficulties, and may die).
- Biological agents like anthrax (causes fever, malaise, cough, and shock. Death can be within 36 hours), botulinum toxin (leads to paralysis of respiratory muscles) and plague are some examples of biochemical weapons. Radiological weapons include weaponised radioactive waste and dirty bombs as well as nuclear weapons.
- Over the years, they have been used by several countries and terrorist organisations. The first instance of any form of CBRN weapons being used in modern warfare can be traced back to World War I.
- ✓ The French forces, during the first month of the war, deployed tear-gas grenades that they had developed in 1912 for police use. Later, Germany, in October 1914, fired shells containing dianisidine chlorosulfate, a lung irritant, at the British army at Neuve-Chapelle in France.

- After the war ended, countries came together to sign the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, also known as the Geneva Protocol, on June 17, 1925, at Geneva. The treaty prohibited the use of “asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices” and “bacteriological methods of warfare”. It entered into force on February 8, 1928.
- ✓ However, in the following years, numerous countries violated the treaty. For instance, Italy used mustard-gas bombs in Ethiopia to destroy Emperor Haile Selassie’s army in 1936.
- ✓ During World War II, Nazi Germany used poisonous gases to kill prisoners in concentration camps. The Americans used napalm and the herbicide Agent Orange during the Vietnam War. Then, in the 1980s, Iraq used chemical weapons against Iran and Iraq’s Kurdish minority during the Iran-Iraq war. The use of chemical weapons by Iraq was later confirmed by the United Nations.
- ✓ Most recently, the use of CBRN weapons came in the form of a sarin gas attack carried out by the Syrian army in 2013 against civilians during the Syrian Civil War.

**3. Atal Bhujal Yojana (ATAL JAL)**

➤ **CONTEXT: The Minister of State for Jal Shakti, Shri Bishweswar Tudu gave information about the yojana in a written reply in Rajya Sabha.**

➤ **Aim:**

- To bring in behavioural changes in the community, from the prevailing attitude of consumption to conservation & smart water management.
- Creation of awareness among the general public about the program objectives
- Creation of an enabling environment for scheme implementation at various levels through information, education and communication (IEC)
- The thrust of the campaign is at the Gram Panchayat(GP) level, where communication tools such as nukkadnataks (street plays), audio-visual clips, wall-writing, display boards, pamphlets and cable TV are being extensively used.

➤ **About:**

- Central Sector Scheme
- Started in 2020 in 8220 water stressed Gram Panchayats of 229 administrative blocks/Talukas in 80 districts of seven States, viz. Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh for five year period (2020-25).
- Interventions include Water Security Plans (WSPs).
- The sustainability of the drinking water sources are to be given utmost priority while taking up interventions under this Scheme.
- Further, since incentive money is an untied fund, it can be used for undertaking pilot projects in any of the Atal Jal Gram Panchayat in order to sustain ground water.
- Since communities are at the forefront in this scheme, importance of capacity building of the communities was also emphasized.
- One of the main challenges was low convergence by the States as compared to what was expected.

**4. Millet International Initiative for Research and Awareness (MIIRA)**

➤ **CONTEXT: India plans to propose a global initiative called "MIIRA" or Millet International Initiative for Research and Awareness for global coordination of millet research programs.**

➤ **About**

- The millet research programs will coordinate millet research programmes at the international level.
- India’s plan to launch MIIRA is in line with the United Nations declaring 2023 as the International Year of Millets.
- For MIIRA to take off, India will contribute the “seed money” while each G20 member will later have to contribute to its budget in the form of a membership fee.
- The Indian Institute of Millet Research in Hyderabad will be supported as the Center of Excellence for sharing best practices, research, and technologies at the international level.
- MIIRA’s secretariat will be in Delhi.

➤ **Millets**

- These are small-grained cereals that require less water than rice and wheat and are mainly grown in rainfed areas.
- Major millet crops: sorghum (jowar), pearl millet (bajra), foxtail millet (kangni/Italian millet), and finger millet (ragi/mandua).
- According to the Ministry of Agriculture, bajra, jowar, and ragi accounts for nearly 7% of the gross cropped area in India making millets the "Nutri Cereals" .
- India is the largest producer of millet in the world.
- It Accounts for 20 % of global production and 80 % of Asia’s production. India, Nigeria and China are the largest producers of millets in the world, accounting for more than 55% of the global production.

➤ **Steps taken towards promoting millets**

- The Department of Agriculture and Farmers Welfare on the MyGov platform has launched various competitions to raise awareness of the benefits of millets.
- In 2018, the Ministry of Agriculture declared millets and the two pseudo millets — buckwheat (kuttu) and amaranth (chaulai) — as ‘Nutri Cereals’ for their “high nutritive value”.

**ANSWER WRITING**

**Q. Given the volatility in the Indian share market, there is a need for a robust mechanism for protection of Investor's interest" In this context analyse the role of SEBI, do you think there is a need to reform SEBI's present mandate?**

The Securities and Exchange Board of India (SEBI) was initially established as a non-statutory body. In 1992, it was declared an autonomous body with statutory powers. SEBI has been established with the prime mandate to protect the interest of investors in securities. It is also mandated to promote the development of and to regulate the securities market.

**SEBI's role in the stock market is important to investors and other market intermediaries. It ensures that the three most important financial market players are taken care of:**

- **Investor protection:**
  - ✓ Building investor capacity: SEBI aims at building the capacity of investors through education and awareness to enable an investor to take informed investment decisions. For this SEBI has been organizing investor education and awareness workshops directly, and through investor associations and market participants.
  - ✓ Disclosure-based regulatory regime: SEBI has adopted a disclosure-based regulatory regime. Under this framework, issuers and intermediaries disclose relevant details about themselves, the products, the market and the regulations so that the investor can take informed investment decisions based on such disclosures.
  - ✓ Redressal of grievances: SEBI has a comprehensive mechanism to facilitate the redressal of investor grievances against intermediaries and listed companies. The stock exchanges have investor protection funds to compensate investors when a broker is declared a defaulter.
- Security issuers: These entities get listed on the stock exchanges and raise funds by issuing shares. The SEBI makes sure that the initial public offering and post-public offer take place transparently.
- Financial sector intermediaries: These intermediaries between the issuers and investors in the stock market make financial transactions safe and smooth. SEBI takes charge of the activity of the stock market intermediaries.

**Need for reforming the SEBI's present mandate:**

- Enforcement process: The statutory powers of SEBI are at par with a civil court however only making regulations and giving orders is not enough. SEBI needs to strengthen its surveillance and enforcement functions so that violations do not go unnoticed whether small or large.
- Matching up to global standard: Capital markets are growing and the size of SEBI as compared to the security market is not sufficient to properly regulate the capital market. Like its peers (regulators of the US and UK) it needs to establish self-regulatory organisations.
- Talent pool and market intelligence: SEBI needs to increase its human resource in both quality and quantity. It needs to significantly improve its market intelligence, technology and talent pool in order to improve its performance.
- Lack of accountability: The executive should provide guidelines on how long SEBI can take with its investigations before passing its orders. The lack of accountability on this front and the fact that there is no concept of the performance appraisal for SEBI members have led to many problems.
- Measuring the efficiency of regulations: Financial Sector Legislative Reforms Commission (FSLRC) recommended that SEBI must publish a performance report, which incorporates global best practice systems for measuring the efficiency of the regulatory system.

SEBI has taken a number of steps in the last few years to reform the Indian capital market. In such a small time SEBI has earned its respect and place in the capital market however there are various problems and challenges in front of it that it needs to overcome. As the Indian financial markets are deeply segmented, a unified financial regulator makes eminent sense in the present scenario.

**MCQs**

1. With reference to Atal Bhujal Yojna, consider the following statements
  1. It is the Central Sector Scheme under Ministry of Jal Shakti.
  2. It, among other things will also impart training in ground water management to farmers in Gram panchayat level.
  3. It is being implemented in all the states and UTs.
 Which of the statements given above is/are correct?
  - a) 1 and 3 only
  - b) 2 only
  - c) 2 and 3 only
  - d) **1 only**
2. With reference to TARKASH exercise consider the following
  1. It is first of its kind military exercise in the world, has included Chemical, Biological, Radiological and Nuclear (CBRN) terror response.
  2. It is a joint exercise by the India's National Security Guard (NSG) and US Special Operations Forces (SOF).
 Which of the above statement/s is/are not correct?
  - a) **1 only**
  - b) 2 only
  - c) Both 1 and 2
  - d) Neither 1 nor 2
3. With reference to Marburg virus consider the following
  1. It is in the same family as the virus that causes Ebola virus disease.
  2. There are no vaccines or antiviral treatments approved to treat the virus.
 Which of the above statement/s is/are correct?

- a) 1 only  
b) 2 only  
c) **Both 1 and 2**  
d) Neither 1 nor 2
4. With reference to Geneva Protocol, 1925 which was in news recently, consider the following
1. It is the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare.
  2. The treaty came into force in 1928 since then there are no instances of violation of the treaty.

Which of the above statement/s is/are correct?

- a) **1 only**  
b) 2 only  
c) Both 1 and 2  
d) Neither 1 nor 2
5. Consider the following statements with regards to Draft Geo-heritage Sites and Geo-relics (Preservation and Maintenance) Bill, 2022
1. For the first time since Independence, the Union government has prepared a draft Bill on the preservation, protection and maintenance of geo-heritage sites.
  2. The new proposed bill gives the Union government power to denotify geoheritage sites if it believes they have "ceased to be of national importance", only after public consultation.

Which of the above statement/s is/are not correct?

- a) **1 only**  
b) 2 only  
c) Both 1 and 2  
d) Neither 1 nor 2
6. Consider the following statements:
1. The Parliament (Prevention of Disqualification) Act, 1959 exempts several posts from disqualification on the grounds of 'Office of profit'.
  2. The above-mentioned Act was amended five times.
  3. The term 'Office of profit' is well-defined in the Constitution of India.

Which of the statements given above is/are correct?

- a) **1 and 2 only**  
b) 3 only  
c) 2 and 3 only  
d) 1, 2 and 3
7. Ax-2 often mentioned in news is related to which of the following?
- a) ISRO
  - b) JAXA
  - c) ROSCOSMOS
  - d) **Space X**
8. A bioproduct named as 'bioamendment from biomining soil' (BBS) has been developed by the Centre for Environmental Studies (CES), Anna University, could be used to:
- a) Reduce biomagnifications
  - b) Reduce bioaccumulation
  - c) **Increase green cover**
  - d) Increase sea grass cover
9. Bru-Reang refugee agreement' recently is signed between which of the following?
1. Union Government
  2. Governments of Tripura
  3. Government of Mizoram

Select the correct answer using the code given below

- a) 1 and 2 only  
b) 2 and 3 only  
c) 1 and 3 only  
d) **1, 2 and 3**
10. With reference to Agricultural and Processed Food Products Export Development Authority (APEDA) consider the following
1. It works under the Ministry of Commerce and Trade
  2. It is a statutory body

Which of the above statement/s is/are correct?

- a) 1 only  
b) 2 only  
c) **Both 1 and 2**  
d) Neither 1 nor 2