



## News Analysis (17 Mar, 2021)

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### Government of NCT of Delhi (Amendment) Bill, 2021

#### Why in News

Recently, the central government introduced the **Government of National Capital Territory of Delhi (Amendment) Bill, 2021** in the Lok Sabha to amend the **Government of National Capital Territory of Delhi Act, 1991**.

It aims to "further define the responsibilities of the elected government and Lieutenant Governor (LG) in Delhi".

## Centre vs Delhi govt again

#### WHAT THE BILL PROPOSES

- The term "Government" in any law by the legislative assembly will mean "Lieutenant Governor"
- The assembly shall not make rules or committees to consider day-to-day administration or conduct inquiries
- Rule or committee made before the new amendment comes into force "shall be void"
- Before taking any executive action, opinion of the L-G shall be obtained by a general or special order
- L-G shall have power to reserve for consideration any bill, and any of the matters outside the purview of the powers conferred on the legislative assembly



**Bill will define responsibilities in line with the constitutional scheme of governance of national Capital, as interpreted by SC**

— AMIT SHAH, UNION HOME MINISTER

#### DELHI GOVT'S RESERVATIONS

- Article 239AA says legislature can make laws on any matters on state and concurrent list except for issues relating to public order, police and land.
- SC's Constitution bench in 2018 recognised assembly's right, and said Union has exclusive powers only in the above 3 issues.
- SC said L-G should work with aid and advice of council of ministers
- SC order clarified that L-G has not been entrusted with any independent decision-making power
- While any matter of dispute can be sent to President, the SC said it does not mean every matter should be

**After being rejected by people of Delhi, BJP seeks to drastically curtail powers of elected govt. Bill is dilution of SC judgment.**

— ARVIND KEJRIWAL, CM



#### Key Points

- **Provisions of the Bill:**
  - **“Government” to mean “Lieutenant Governor (LG)”**: The expression ‘Government’ referred to in any law to be made by the Legislative Assembly **shall mean the Lieutenant Governor (LG)**.
  - **Widening of Discretionary Powers of LG**: The Bill gives discretionary powers to the LG even in matters **where the Legislative Assembly of Delhi is empowered to make laws**.
  - **Necessarily Granted an Opportunity to LG**: It seeks to ensure that the LG is “necessarily granted an opportunity” to give her/his **opinion before any decision taken by the Council of Ministers** (or the Delhi Cabinet) is implemented.
  - **Related to Administrative Decisions**: The amendment also says that **“Legislative Assembly shall not make any rule to enable itself to consider the matters of day-to-day administration of the Capital or conduct inquiries in relation to the administrative decisions”**.
- **Need of the Amendment:**

**For Structural Clarity**: The Ministry of Home Affairs’ statement on **“objects and reasons”** of the Bill stated that Section 44 of the 1991 Act deals with conduct of business and there **is no structural mechanism for effective time-bound implementation** of the said section.

  - Also, there is no clarity as to what proposal or matters are required to be submitted to Lieutenant Governor before issuing order thereon.
  - **Section 44 of the 1991 Act says that** all executive actions of the LG, whether taken on the advice of his Ministers or otherwise shall be expressed to be taken in the name of the LG.
- **Background of the Events:**
  - In its **2018 verdict**, the five-judge Bench had held that the **LG’s concurrence is not required on issues other than police, public order and land**.
    - It had added that decisions of the **Council of Ministers** will, however, have to be communicated to the LG.
    - The LG was bound by the aid and advice of the council of ministers.
  - The court also said that **the status of the LG of Delhi is not that of a Governor of a State**, rather he remains an Administrator, in a limited sense, working with the designation of Lieutenant Governor”.

It had also pointed out that the **elected government must keep in mind that Delhi is not a state**.
  - Encouraged by the Supreme Court verdict, the elected government had stopped sending files on executive matters to the LG before the implementation of any decision.
    - It has been keeping the LG informed of all administrative developments, but not necessarily before implementing or executing any decision.
    - But the **amendment**, if cleared, **will force the elected government to take LG's advice before** taking any action on any cabinet decision.

- Delhi's current status as a Union Territory with a Legislative Assembly is an outcome of the **69<sup>th</sup> Amendment Act** through which **Articles 239AA and 239BB** were introduced in the Constitution.
- The Government of National Capital Territory of Delhi (GNCTD) Act was passed simultaneously to supplement the constitutional provisions relating to the Assembly and the Council of Ministers in the national capital.
- For all practical purposes, the GNCTD Act **outlines the powers of the Assembly, the discretionary powers enjoyed by the LG, and the duties of the Chief Minister** with respect to the need to furnish information to the LG.

**Source:TH**

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## **Back Door Entry Closed for Defaulters: SC**

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### **Why in News**

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Recently, the **Supreme Court (SC)** has **closed the back-door entry of defaulting promoters** by using a **special provision of compromise** or arrangement during the liquidation phase of the insolvency proceeding.

The ruling **reaffirms the spirit of the Insolvency and Bankruptcy Code (IBC)**.

### **Key Points**

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- **Background:**

In a case involving the liquidation of a Limited Company, the **National Company Law Appellate Tribunal (NCLAT)** in 2019 held that any person who was ineligible, under **Section 29A of Insolvency and Bankruptcy Code (IBC)**, to bid for his company, **was also barred from proposing a scheme of compromise and arrangement** under **Section 230** of the **Companies Act 2013**.

- The Companies Act 2013 is an **Indian company law** which **regulates incorporation of a company, responsibilities of a company, directors, dissolution of a company**.

Company means a company incorporated under this Act or under any previous Company Law.

- **Section 230** of the Companies Act allows promoters or creditors of the company to propose a scheme of arrangement or compromise under which the debt of the company can be restructured.

- **Recent Ruling of the SC:**

SC upheld NCLAT's decision and said that while **Section 230 would be applicable for promoters and creditors in the normal course** of the workings of the company, it would **not be applicable if the company is facing liquidation under IBC**.

- **Reason Given by SC:**
  - The **company has to be protected** from its **management and a corporate death**.
  - It would lead to a **manifest absurdity** if the very **persons who are ineligible for submitting a resolution plan**, participating in the sale of assets of the company in liquidation or participating in the sale of the corporate debtor as a 'going concern', **are somehow permitted to propose a compromise or arrangement under Section 230 of Companies Act 2013**.
- **Significance of the Judgement:**
  - **Speed up the Resolution:**  
The clarification by the SC with respect to participation of promoters in the liquidation process of an insolvent company will **speed up the corporate insolvency resolution process**.
  - **Maximisation of the Asset Value:**  
Since the **objective of the IBC** is to find a suitable buyer for the company and liquidation is ordered only in cases where there are no viable plans submitted, experts believe that a **quick liquidation is of utmost importance to maximise the value of assets of the company**.
  - **Settled Conflicting Judgements:**  
**It settles down the conflicting judgments given by different benches of the NCLT**, wherein these forums had, in order to follow the IBC's principle of value of asset maximisation, allowed some of the promoters to re-bid for the company or propose some arrangement when it was sent to liquidation.

## **Insolvency and Bankruptcy Code, 2016**

- **About:**
  - It provides a **time-bound process** for resolving insolvency in companies and among individuals.
  - It covers all **individuals, companies, Limited Liability Partnerships (LLPs) and partnership firms**.
- **Objective:**
  - To **streamline and speed up the resolution process** of failed businesses.
  - To **consolidate provisions of the existing legislative framework** to form a common forum for debtors and creditors of all classes to resolve insolvency.
  - To **stipulate that the resolution process** of a stressed company will **have to be completed in a maximum of 270 days**.
- **Section 29A:**
  - It is a **restrictive provision**, it specifically lists down the **persons who are not eligible to be resolution applicants**.
  - Section 29A in its entirety not only restricts promoters but **also the people related/connected with the promoters**.
  - This section was introduced to **disqualify those who had contributed in the downfall of the corporate debtor** or were unsuitable to run the company.

- **Adjudicating Authority:**
  - **National Company Law Tribunal (NCLT)** for companies and LLPs.
  - **Debt Recovery Tribunal (DRT)** for individuals and partnership firms.

## National Company Law Appellate Tribunal

- The NCLAT was **constituted under Section 410 of the Companies Act, 2013** to hear appeals against the orders of the National Company Law Tribunal (NCLT).  
NCLT is a **quasi-judicial body** that adjudicates issues relating to companies.
- It is **also the appellate tribunal for orders passed by the NCLT(s)** under Section 61 of the IBC, 2016, and for orders passed by the Insolvency and Bankruptcy Board of India (IBBI) under Sections 202 and 211 of the IBC.
- Any **person aggrieved by any order of the NCLAT may file an appeal to the SC.**

**Source:IE**

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## Amend the NCC Act: Kerala High Court

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### Why in News

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Recently, the **Kerala High Court** ordered the **Central government** to amend the **National Cadet Corps Act (NCC Act) 1948** which excludes **transgender** persons from joining the **National Cadet Corps (NCC)**.

### Key Points

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- **Background:**
  - A writ petition was filed in 2020 by a student **opposing her exclusion from the NCC** unit at the college on the basis of her gender (Transgender).
  - The petition challenged **Section 6** of the **NCC Act, 1948** which only allows either 'male' or 'female' cadets.
  - Central government **argued** that transgender persons **cannot be allowed into the NCC as there is no provision for the same.**
- **High Court's Order:**
  - The court took exception to the position and stressed that it goes contrary to **Kerala's Transgender Policy** and other applicable statutes.
    - The provisions of the NCC Act, 1948 cannot preclude the operation of the **Transgender Rights Act, 2019.**
    - The Transgender Rights Act Act was intended to give effect to the rights of transgenders under **Article 14, 15, 19, and 21 of the Constitution.**
  - Observed that a **transgender person is entitled to enroll in the NCC** in accordance with her self-perceived gender equality.
  - Ordered the **central government to amend Section 6 of the NCC Act 1948** within six months so that the law offers equal opportunities for everyone.

- **Kerala's Transgender Policy:**

- **About:**

- Kerala was **one of the first states** in the country to formulate and implement a **welfare policy for transgender persons in 2015.**

- The move followed the **Supreme Court** verdict in ***National Legal Services Authority v Union of India 2014*** in which the **right to equality and equal protection for transgender persons under articles 14, 15 and 16 was upheld** and the bracket of a **'third gender'** allotted to transgender persons.

- **Justice Board:**

- A **Transgender Justice Board**, aimed to monitor and address concerns where necessary in the implementation of the policy, was formed.

- **No Discrimination:**

- The policy asked for all government offices and public functionaries to **extend non-discriminatory treatment to transgender** and help provide them with **easy access to education, health, transport and social security.**

- **Social Benefits:**

- Providing **free legal aid** to those fighting discrimination, recording statistics at the local police station level for crimes against transgenders, a **24×7 helpline and crisis management centre, a monthly pension scheme** for destitutes and those above the age of 55 and establishing **shelter homes** were some of the policy promises.

- **Educational Programs:**

- In 2018, the government decided to set aside **two additional seats for all transgender applicants** for courses in universities and arts and science colleges under it.
      - There is also a **literacy aid programme for transgender** under which a monthly scholarship of up to Rs. 1,250 and shelter home accommodation is provided.

## **National Cadet Corps**

- **The National Cadet Corps Act, 1948:**
  - **About:**
    - It is an Act to provide for the constitution of a **National Cadet Corps**.
    - It extends to the whole of India and applies to all persons enrolled or appointed under this Act, wherever they may be.
  - **Section 6:**
    - Any student of the **male sex** of any university may offer himself for enrolment as a cadet in the Senior Division, and any student of the male sex of any school may offer himself for enrolment as a cadet in the Junior Division if he is of the prescribed age or over.
    - Any student of the **female sex** of any university or school may offer herself for enrolment as a cadet in the Girls Division:
      - Provided that in the latter case **she is of the prescribed age or over**.
- **About NCC:**
  - The NCC was **formed in 1948** (on the recommendation of **H. N. Kunzru Committee-1946**), and has its roots to British era uniformed youth entities like University Corps or University Officer Training Corps.
    - Currently, **it has a strength of around 14 lakh cadets** from **Army, Navy** and **Air Force** wings.
  - The NCC falls under the purview of the Ministry of Defence and is **headed by a Director General of three-star military rank**.
  - It **enrolls cadets at high school and college level** and also awards certificates on completion of various phases.
    - The NCC **cadets receive basic military training** at various levels and also have academic curriculum basics related to Armed forces and their functioning.
    - Various training camps, adventure activities and military training camps are an important aspect of NCC training.
- **Significance:**
  - NCC cadets have **played an important role over the years in relief efforts** during various emergency situations.
  - During the ongoing **pandemic**, over 60,000 NCC cadets have been deployed for voluntary relief work in coordination with district and state authorities across the country.

**Source: IE**

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## **Removal of Heavy Metals from Water**

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### **Why in News**

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Recently, a research team at the Indian Institute of Technology (IIT) Mandi has developed a **new method** for efficient removal of **heavy metals from water**.

## Key Points

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- **Background:**
  - Several methods like chemical precipitation, ion exchange, **adsorption**, membrane filtration, reverse osmosis, solvent extraction, and electrochemical treatment have been used to remove heavy metals from contaminated water.
  - Many of these methods suffer from **high capital and operational costs**.
  - Therefore, **adsorption is one of the best-suited methods**, due to its high efficiency, low-cost, and ease of operation.
- **About the Research:**
  - A research team has developed a fibrous membrane filter using a **biopolymer-based material** that helps to separate out the heavy metals from water samples.
    - These membranes contain adsorbents materials that attract and hold the metals.
    - These adsorbents contain a large amount of a biopolymer, Chitosan, derived from crab shells that is mixed with a well-known polymer, Nylon.
  - **Funding of Research:** The study was funded by the **Ministry of Mines, Government of India**.



- **Process Used:**

- The researchers have used a process called “**solution blowing**”, while regular fibre-based adsorbents are produced through a method called “**melt blowing**”.
- **Melt Blowing:**
  - It is a special technique for manufacturing material with **very fine fibers, down to 0.5 µm (in range of micrometers)**.
  - The fibers are elongated by blowing hot air at high speed concentrically along the fibers.
- **Solution Blowing:**
  - It starts from dissolving the polymer in solvent, e.g. cellulose in ionic liquid.
  - The solution is pumped through a spin nozzle where air is blown at high speed concentrically.
  - Solution blowing produces fibres that are **nanometres in diameter**, a hundred thousand times thinner than a single human hair. Finer than those produced through the process of Melt Blowing. This **increases the surface area** of fibers tremendously, resulting in better adsorption of heavy metals.
  - This method also enables **blending of higher concentration of natural polymers** like chitosan and lignin with synthetic polymers like Nylon.
- **Advantages:**
  - **Higher Metal Removal Efficiency:** The normal absorbent fibres bind to the target metal only at their surface, in their nanofiber membranes.  
The biopolymer-based material adsorption was seen to happen at the sub-surface scale as well, which translates to higher metal removal efficiency.
  - **Reuse of Membrane:** The membranes could be reused at least eight times before there was considerable reduction in the efficiency of metal adsorption.
  - **Recovery of Adsorbed Metal:** The adsorbed metal in a metal-hydroxyl nitrate form can be easily recovered. It is a value-addition to the membrane filter.
  - **Industrial Production:** The researchers have provided a method to produce fibre-based adsorbents at large scale for handling larger volumes of metal-contaminated water.
  - **Environmentally Efficient:** Using the solution blowing technique could replace the synthetic polymers with natural polymers.  
It will be a welcome move in this era of environmental consciousness.

## Heavy Metals

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- **About:**

- The term heavy metal refers to any metallic chemical element that has a relatively **high density (> 5 g/cm<sup>3</sup>)** and is toxic or poisonous at low concentrations.
- **Examples of heavy metals** include mercury (Hg), cadmium (Cd), arsenic (As), chromium (Cr), thallium (Tl), and lead (Pb)

- **Source of Heavy Metals:**

- Heavy metals are introduced into the environment either by **natural means** or by **human activities**.

- **Natural Sources:**

Geographical phenomena like volcanic eruptions, weathering of rocks, leaching into rivers, lakes and oceans due to action of water.

- **Anthropogenic Sources:**

- These metals are released into the water through anthropogenic activities such as mining, manufacturing, electroplating, electronics, discharge from auto exhaust, domestic waste, agricultural waste and fertilizer production.
- The **Central Water Commission (CWC)** has reported that the samples from **two-thirds of the water quality stations** spanning India's major rivers are contaminated by one or more heavy metals, exceeding safe limits set by the **Bureau of Indian Standards**.
- Several villagers in **West Bengal** are suffering from sores and ulcers due to **arsenic poisoning** from drinking water. According to a recent report, the number of arsenic-affected habitations in India has **increased by 145% in the last five years (2015-20)**.

- **Effect of Heavy Metals on Human:**

- There are some **essential heavy metals** which the human body requires in trace amounts such as Cobalt, copper, zinc, and manganese but in the excessive amount, it can be detrimental to health.
- The heavy metals found in drinking water such as **lead, mercury, arsenic, and cadmium** have no beneficial effects on our body.

In fact, their accumulation inside the body can cause severe health problems.

<b>Metals</b>	<b>Disease</b>
Mercury	Minamata disease
Cadmium	Itai Itai
Lead	Anaemia
Arsenic	Black foot disease
Nitrates	Blue Baby Syndrome

**Source: DTE**

# Moving Black Hole

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## Why in News

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Scientists have discovered the **first moving supermassive black hole** whose mass is **about three million times that of our Sun**.

The black hole was **travelling within its own galaxy (J0437+2456)** which is around **228 million light years away from Earth**.

## Key Points

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- **Study Conducted by the Scientists:**

- Scientists **studied 10 faraway galaxies with supermassive black holes** in the centre, **expecting them to have the same velocity as that of the galaxies they reside in**.
- **Focus of their study was the water in the accretion disk** (the spiralling mass around a supermassive black hole made of matter that is eventually ingested by the black hole).

As the water **circles around the black hole** before falling into it **like liquid in a sink, it produces a laser-like beam of radio light known as a maser**. These masers can **tell the velocity of black holes very accurately**.

- **About the Moving Supermassive Black Hole:**

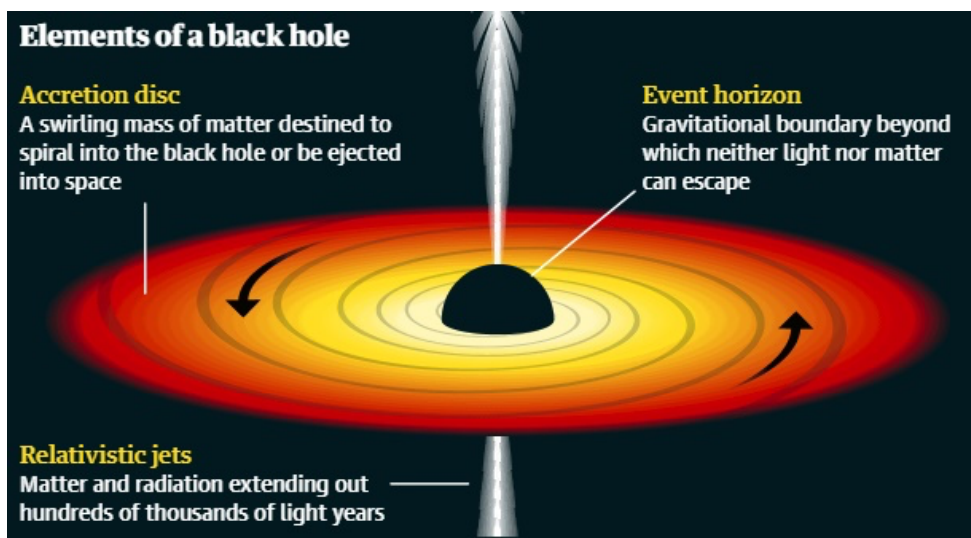
- Of the 10 black holes they studied, **only the one at the center of J0437+2456 was unusual**. It was **not moving at the same velocity as its home galaxy**. Besides the empirical evidence, the **enormous size of these black holes had led people to imagine them to be stationary objects** planted in the middle of galaxies as opposed to objects floating around in space.
- It is **moving** with a speed of about **1,10,000 miles per hour** inside its **galaxy**.
- **Possible Causes for the Motion:**
  - **Two Supermassive Black Holes Merging:** Scientists might have spotted the resulting black hole moving in a rearward motion after the merger before settling down in a position.
  - **One in a Binary System of Black Holes**, where not one but two supermassive black holes might exist within the host galaxy held together by a shared centre of gravity, which they might be orbiting.

The twin of the newly-discovered wandering black hole might not be emitting masers, keeping it from being detected by the radio antenna network.

## Black Hole

- It refers to a point in space where the **matter is so compressed as to create a gravity field from which even light cannot escape**.

- The concept was **theorized by Albert Einstein in 1915** and the term ‘**black hole**’ was **coined in the mid-1960s by American physicist John Archibald Wheeler**.
- Usually, the black holes **belong to two categories**:
  - One category **ranges between a few solar masses and tens of solar masses**. These are thought to form when massive stars die.
  - The other category is of **supermassive black holes**. These range from **hundreds of thousands to billions of times that of the sun** from the Solar system to which Earth belongs.
- In April 2019, the scientists at the **Event Horizon Telescope** Project released the **first-ever image of a Black Hole** (more precisely, of its shadow).  
The **Event Horizon Telescope** is a **group of 8 radio telescopes (used to detect radio waves from space)** located in different parts of the world.
- **Gravitational waves** are created when two black holes orbit each other and merge.



Source:DTE

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## Mullaperiyar Dam

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### Why in News

Recently, the **Supreme Court (SC)** has ordered the **Mullaperiyar Dam Supervisory Committee** to issue directions on issues concerning the **dam's safety**.

The SC constituted a **permanent Supervisory Committee** in **2014** to **oversee all the issues concerning Mullaperiyar dam**. The dam is a **source of friction between Tamil Nadu and Kerala**.

### Key Points

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- **Background:**
  - A **petition** was filed by a resident of Idukki district of Kerala to **lower the water level of Mullaperiyar dam to 130 feet** saying there is a **danger of earthquakes and floods** in the area as monsoon progresses in the State.
  - The petitioner contended that the **Supervisory Committee had become “lethargical”** about the safety inspection and survey of the dam.
    - It had **delegated its duties to a sub-committee of local officials.**
    - The instrumentation scheme, safety mechanism, etc, have not been finalised for the past six years.
- **Tamil Nadu’s Stand:**
  - Blamed Kerala for delaying the finalisation of the **rule curve** for the dam.
    - **Rule curve** in a dam decides the fluctuating storage levels in a reservoir. The gate opening schedule of a dam is based on the rule curve.
    - It is **part of the “core safety”** mechanism in a dam.
    - The **rule curve level is fixed to avoid emergency opening of dam shutters** in case of a flood-like situation. It helps in controlling the water level in the dam during peak monsoon.
  - Kerala has made consistent efforts to obstruct Tamil Nadu from operating the dam.
  - Tamil Nadu is **not able to access data** which is in Kerala’s terrain. There is **no road built, the power supply has not been restored** although Tamil Nadu has paid for it.
- **Kerala’s Stand:**

Accused Tamil Nadu of adopting an **“obsolete”** gate operation schedule dating back to 1939.
- **SC’s Ruling:**
  - **Tamil Nadu’s Chief Secretary** shall be **“personally responsible”** and **“appropriate action”** will be taken on failure to give information on the **rule curve for Mullaperiyar dam** to the SC -appointed **Supervisory Committee.**
  - Directed the Supervisory Committee to **issue directions or take steps to address the three core safety issues** and submit a compliance report in four weeks.
    - **Core Issues:**
      - Monitoring and performance of the **instrumentation** of the dam.
      - Finalising the **rule curve.**
      - Fixing the gate **operating schedule.**
    - **Reason:**

The three core issues are **directly concerned with the safety of the dam** and will have a cascading effect on persons residing in the nearby areas.

## Mullaperiyar Dam

- The Mullaperiyar, a **123-year-old** dam, is **located on the confluence of the Mullayar and Periyar rivers in Kerala's Idukki district.**  
The dam stands at the **height of 53.66 metres and 365.85 metres in length.**
- It is **operated and maintained by the Tamil Nadu** for meeting the drinking water and irrigation requirements of five of its southern districts.  
According to a 999-year **lease agreement** made during the British rule the operational rights were handed over to Tamil Nadu.
- The **dam intends to divert the waters of the west-flowing river Periyar eastward** to the arid rain shadow regions of the Tamil Nadu.

## Periyar River

- The **Periyar River is the longest river in the state of Kerala** with a length of 244 km.
- It is also known as '**Lifeline of Kerala**' as it is one of the few perennial rivers in the state.  
A **perennial river is a channel that has continuous flow** in parts of its stream bed all year round.
- Periyar River **originates from Sivagiri hills of Western Ghats** and flows through the **Periyar National Park.**
- The **main tributaries** of Periyar are Muthirapuzha, Mullayar, Cheruthoni, Perinjankutti.



**Source: TH**

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**MPLAD Scheme**

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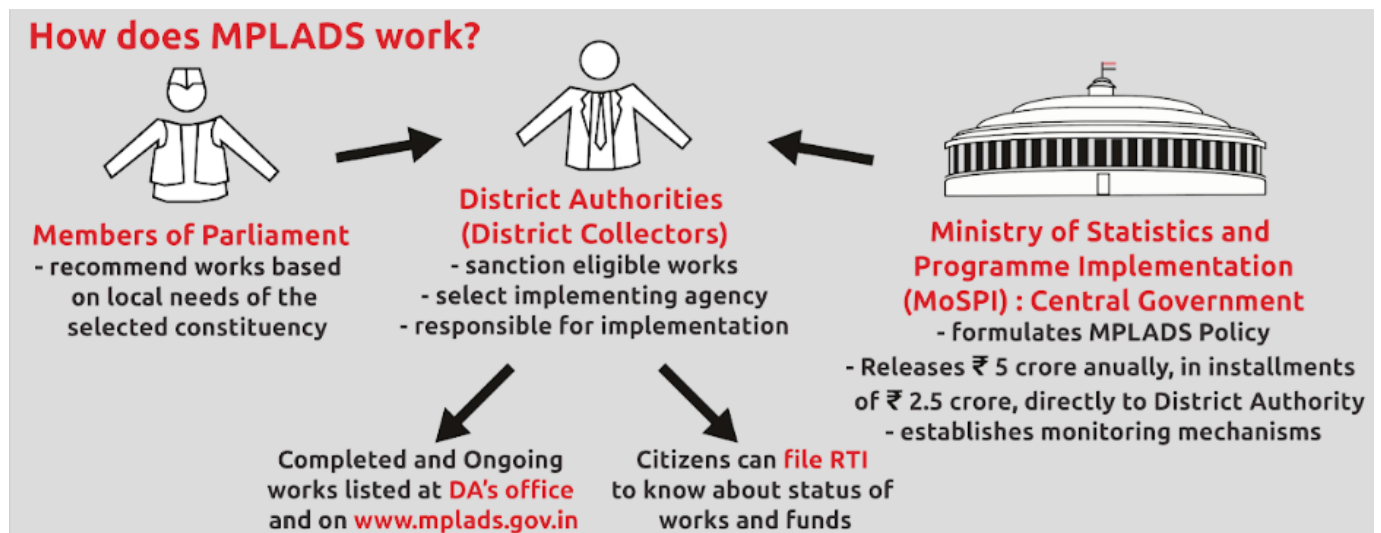
**Why in News**

Recently, funds from **Members of Parliament Local Area Development Scheme (MPLADS)** were disbursed to the village panchayats of Goa.

Due to Covid-19 pandemic **MPLAD Funds Scheme is currently suspended** and the disbursed funds were allocated earlier.

## Key Points

- **About:**
  - MPLAD is a **Central Sector Scheme** which was announced in December 1993.
  - Initially, it came under the control of the Ministry of Rural Development. Later, in October 1994, it was transferred to the **Ministry of Statistics and Programme Implementation.**
- **Functioning:**
  - Each year, MPs receive **Rs. 5 crore in two instalments of Rs. 2.5 crore each.** Funds under MPLADS are **non-lapsable.**
  - Lok Sabha MPs have to **recommend the district authorities** projects in their Lok Sabha constituencies, while **Rajya Sabha MPs** have to spend it in the **state that has elected** them to the House.
  - Nominated Members of both the Rajya Sabha and Lok Sabha can **recommend works anywhere in the country.**



- **Priority Projects:**
  - The projects include assets building such as drinking water facilities, primary education, public health sanitation and roads.
  - Since June 2016, the MPLAD funds can also be used for implementation of the schemes such as **Swachh Bharat Abhiyan**, **Accessible India Campaign (Sugamya Bharat Abhiyan)**, conservation of water through rain water harvesting and **Sansad Aadarsh Gram Yojana**, etc.

- **Criticism:**
  - **Implementation Lapses:** The **Comptroller and Auditor-General of India (CAG)** has flagged instances of financial mismanagement and artificial inflation of amounts spent.
  - **No Statutory Backing:** The scheme is not governed by any statutory law and is subject to the whims and fancies of the government of the day.
  - **Monitoring and Regulation:** The scheme was launched for promoting participatory development but there is no indicator available to measure level of participation.
  - **Breach of Federalism:** MPLADS encroaches upon the domain of local self governing institutions and thereby **violates Part IX and IX-A of the Constitution.**
  - **Conflict with Doctrine of Separation of Powers:** MPs are getting involved in executive functions.
- **Debate over Constitutionality:**
  - **National Commission to Review the Working of the Constitution, 2002:** Recommended immediate discontinuation of the MPLAD scheme on the ground that it was inconsistent with the **spirit of federalism and distribution of powers** between the centre and the state.
  - **2<sup>nd</sup> Administrative Reforms Commission's report on "Ethics in Governance", 2005:** Opined that it seriously erodes the notion of separation of powers, as the legislator directly becomes the executive.
  - **Supreme Court Judgement, 2010:** A five-judge bench of the Supreme Court ruled that there was **no violation of the concept of separation of powers** because the role of an MP in this case is recommendatory and the **actual work is carried out by the Panchayats and Municipalities** which belong to the executive organ.

**Source: PIB**

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## **Inter-Parliamentary Union**

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### **Why in News**

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Recently, the President of the **Inter-Parliamentary Union (IPU)** addressed Members of Parliament at the Central Hall of the Indian Parliament.

### **Key Points**

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- **About:**
  - IPU is an **international organisation** of national parliaments. It was established in **1889 in Paris**.  
It was founded by statesmen **Frédéric Passy of France** and **William Randal Cremer of the United Kingdom**.
  - It works with **close co-operation** with the **United Nation** (UN), regional parliamentary organisations, international intergovernmental organisations and **non-governmental organisations** for the arbitration of conflict.
  - It is a **unique platform** for observing political opinions and trends around the world.
- **Aim:**
  - To **promote parliamentary dialogue** world-wide and **works for peace and cooperation among the peoples**.
  - To **promote democratic governance, accountability, and cooperation** among its members.
- **Slogan:**  
For democracy. For everyone
- **Functions:**  
Promoting parliamentary action by addressing international concerns in **six main areas:**
  - Representative democracy.
  - Peace and security.
  - **Sustainable development**.
  - Human rights and humanitarian law.
  - Women in politics.
  - Education, science, and culture.
- **Members:**
  - **179** countries are **members** of the IPU.
  - **13** regional parliamentary assemblies are associate members.
  - India is a member.
- **Headquarters:**  
Geneva, **Switzerland**.

**Source:TH**

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