

News Analysis (03 Jun, 2021)

etishtiias.com/current-affairs-news-analysis-editorials/news-analysis/03-06-2021/print

Model Tenancy Act

Why in News

The Union Cabinet has approved the **Model Tenancy Act** to be sent to the States and Union Territories to enact legislation or amend laws on rental properties.

The draft Act had been published by the Ministry of Housing and Urban Affairs in 2019.

WHAT CHANGES

- Verbal rent agreements are illegal
- Security deposit capped at up to 2 month's rent for residential
- For non-residential premises, it is maximum 6 months
- Jurisdiction of civil courts barred
- Redressal within 60 days
- No eviction of tenant during tenancy period
- In force majeure, tenant allowed to stay for a month

Some Provisions:

Written Agreement is Mandatory:

Mandatory for there to be a **written agreement** between the property owner and the tenant.

Establishes Independent Authority and Rent Court:

Establishes an independent authority in every state and UT for **registration of tenancy agreements** and even a separate court **to take up tenancy related disputes**.

Maximum Limit for Security Deposit:

Limit the **tenant's advance security deposit to a maximum of two months rent** for residential purposes and to a **maximum of six months** for **non-residential purposes.**

Describes Rights and Obligations of both Landlord and Tenant:

- The **landlord** will be responsible for activities like structural repairs except those necessitated by damage caused by the tenant, whitewashing of walls and painting of doors and windows, etc.
- The **tenant** will be responsible for drain cleaning, switches and socket repairs, kitchen fixtures repairs, replacement of glass panels in windows, doors and maintenance of gardens and open spaces, among others.

24-hour Prior Notice by the Landlord:

A landowner will have to give **24-hour prior notice before entering the rented premises** to carry out repairs or replacement.

Mechanism for Vacating the Premises:

If a landlord has **fulfilled all the conditions stated** in the rent agreement - giving notice etc.- and the **tenant fails to vacate the premises** on the expiration of the period of tenancy or termination of tenancy, the landlord is **entitled to double the monthly rent for two months** and four times after that.

Coverage:

- It will apply to premises let out for residential, commercial or educational use,
 but not for industrial use.
- o It also won't cover hotels, lodging houses, inns, etc.
- It will be applied prospectively and will not affect existing tenancies.

Need:

As per <u>Census</u> 2011, nearly 1.1 crore houses were lying vacant in the country and making these houses available on rent will complement the vision of <u>'Housing for All' by 2022</u>.

• Significance:

- The authority will provide a speedy mechanism in resolving disputes and other related matters.
- It will help overhaul the legal framework with respect to rental housing across the country.
- It will enable creation of adequate rental housing stock for all the income groups thereby addressing the issue of homelessness.
- It will enable institutionalisation of rental housing by gradually shifting it towards the formal market.
- It is expected to give a fillip to private participation in rental housing as a business model for addressing the huge housing shortage.

• Challenges:

- The Act is not binding on the states as land and urban development remain state subjects.
- Like in the case with <u>RERA</u> (Real Estate (Regulation and Development Act), the fear is that states may choose not to follow guidelines, diluting the essence of the Model Act.

Source: PIB

China Relaxes Two Child Policy: Lessons for India

Why in News

Recently, China relaxed its two child policy and announced it will now allow three children per married couple.

It also announced that it would **increase the retirement age** by a few months every year. For the past four decades, the **retirement age in China has been 60 for men and 55 for women.**

• China's Population Policies:

- One Child Policy:
 - China embarked upon its one-child policy in 1980, when its government was concerned that the country's growing population, which at the time was approaching one billion, would impede economic progress.

Chinese authorities have long hailed the policy as a success, claiming that it helped the country avert severe food and water shortages by preventing up to 40 crore people from being born.

- It was a source of discontent, as the state used brutal tactics such as forced abortions and sterilisations.
- It also met criticism and remained controversial for violating <u>human rights</u>,
 and for being unfair to the poor.
- Two Child Policy:

From 2016, the Chinese government finally allowed two children per couple— a policy change that did little to arrest the rapid fall in population growth.

- Three Child Policy:
 - It was announced after China's 2020 census data showed that the country's rate of population growth is falling rapidly despite the 2016 relaxation.
 - The country's <u>fertility rate</u> has dropped to 1.3, far below the <u>replacement</u> <u>level</u> of 2.1 required for a generation to have enough children to replace it. The <u>United Nations</u> expects China's population to begin declining after 2030, but some experts say this could happen as early as in the next one or two years.

• Concerns of Falling Population:

Decreased Labour:

When the young population in a country declines, it creates **labour** shortages, which have a major detrimental impact on the economy.

Increased Social Spending:

More older people also means that **demands for healthcare and pensions** can soar, **burdening the country's social spending system** further when fewer people are working and contributing to it.

Critical for Developing Nations:

- A problem unique to China, though, is that unlike the other developed countries part of this trend, it is still a middle-income society, despite being the world's second-largest economy.
- Prosperous countries like Japan and Germany, which face similar demographic challenges, can depend on investments in factories, technology and foreign assets.
- China, however, still depends on labour-intensive manufacturing and farming.
- A drop in demographic dividend could thus hurt China and other developing nations like India more than those in the rich world.

Lessons For India:

Avoid Stringent Measures:

Stringent population control measures have landed China in a human crisis that was inevitable. If coercive measures like a two-child limit are enforced, India's situation could be worse.

Women Empowerment:

The proven ways to lower the fertility rate are to give women the control over their fertility and ensure their greater empowerment through increased access to education, economic opportunities and healthcare.

As a matter of fact, China's fertility reduction is only partly attributable to coercive policies, and is largely because of the sustained investments the country had made in education, health and job opportunities for women.

Need to Stabilize Population:

- India has done very well with its family planning measures and now it is at replacement level fertility of 2.1, which is desirable.
- It needs to sustain population stabilisation because in some States like Sikkim, Andhra Pradesh, Delhi, Kerala and Karnataka, the total fertility rate is way below replacement level, which means it can experience in 30-40 years what China is experiencing now.

India's Case

India's Population Growth:

 India's population is estimated to be over 1.36 billion as of March 2021, indicating an estimated 12.4% growth over the last decade.

That is lower than the 17.7% between 2001 and 2011.

 However, a 2019 <u>United Nations</u> report had projected <u>India to overtake China</u> as the most populous country by 2027.

India is expected to add nearly 273 million people between 2019 and 2050.

• Indian Measures for Population Control:

- Prime Minister's Appeal: During his <u>Independence Day Speech</u> in 2019, the Prime Minister appealed to the country that population control was a form of patriotism.
- Mission Parivar Vikas: The Government launched <u>Mission Parivar Vikas</u> in 2017 for substantially increasing access to contraceptives and family planning services in 146 high fertility districts.
- Compensation Scheme for Sterilization Acceptors: Under the scheme, the Ministry of Health and Family Welfare provides compensation for loss of wages to the beneficiary and also to the service provider (& team) for conducting sterilizations from the year 2014.
- National Family Planning Indemnity Scheme (NFPIS): This scheme was launched in the year 2005. Under this scheme, clients are insured in the eventualities of death, complication and failure following sterilization.

Source:TH

New Pension Rules for Civil Servants

Why in News

Recently, the **Central Government has amended its pension rules** putting new restrictions on officials of intelligence and security organisations after retirement.

- The government has amended Rule-8(3)(a) of the CCS (Central Civil Services)
 Pension Rules-1972.
- The Centre has notified **Central Civil Services (Pension) Amendment Rules, 2020.**

Background:

- The said rules were first drafted in 1972 and have been amended 47 times.
- In 2008, Rule 8 pertaining to "pension subject to future good conduct" was
 first amended by inserting the condition that retired intelligence and security
 officials will not publish any material that affects the "sovereignty and
 integrity of India, the security, strategic, scientific or economic interests of the
 State, or relation with a foreign State or which would lead to incitement of an
 offence".

Amended Rule-8(3)(a):

 Officials retired from certain intelligence or security establishments (included under 2nd schedule of RTI Act) will not be allowed to write anything about their organisation without permission.

The **Second Schedule** of the <u>Right to Information (RTI) Act 2005</u> covers **26 organisations** including the Intelligence Bureau, R&AW, <u>Directorate of Revenue Intelligence</u>, CBI, NCB, BSF, CRPF, ITBP and CISF.

- Requires the retired officials to sign an undertaking Form 26 and declare that without the prior approval of the competent authority they will not publish any information related to the "domain of the organisation and obtained by virtue of my working in the said organisation".
- The amendment expands the scope to include any information related to "domain of the organisation, any reference or information about any personnel and his designation, and expertise or knowledge gained by virtue of working in that organisation."

Purpose of the Amendment:

- The amendment was in process for around four years after the Committee of Secretaries recommended it.
- The move was prompted by concerns arising out of the fact that some highprofile retired officers had written books on their tenure, and some of these had revealed information.

Implications:

- This amendment to Rule 8 means that pension can be withheld or withdrawn if the pensioner disobeys the rules.
- This change in rules is likely to impact retired officials of security and intelligence organisations who write in newspapers and magazines or author books on their former organisations and experiences.

Rules Pertaining to Government Servants

Rule 9 of CCS Pension Rules-1972 (Departmental Proceeding after Retirement):
 It says that if any government official has committed any misconduct and retires, he or she may face departmental proceedings only until four years after the date of committing that misconduct.

- Central Civil Services (Conduct) Rules, 1964:
 - It puts some restrictions on Government Employees while in Service.
 - Rule 7: It restricts government servants from resorting to or abetting any form of strike or coercion.
 - Rule 8: It restricts them, except with government sanction, from owning or participating in the editing or management of any newspaper or other periodical publication or electronic media.
 - Rule 9: It restricts a government servant from making statements of fact or opinion in writing or in a telecast or a broadcast "which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government".
 - Restriction on Political Activity while in Service:
 - The Conduct Rules bars government servants from being associated with any political party or organisation, and from taking part or assisting any political activity.
 - An amendment in 2014 said, "Every government employee shall at all times maintain political neutrality" and "commit himself to and uphold the supremacy of the Constitution and democratic values"
- Rule 26, All India Services (Death-cum-Retirement Benefits Rules) 1958 (Employment after Retirement):
 - It restricts a pensioner from any commercial employment for one year (until 2007 it was 2 years) after retirement, except with previous sanction of the central government.
 - Non-compliance can lead the central government declaring that the employee "shall not be entitled to the whole or such part of the pension and for such period as may be specified".
- Joining Politics after Retirement:
 - There is **no rule** to stop government servants from joining politics after their retirement.
 - In 2013, the <u>Election Commission</u> had written to the <u>DoPT</u> (Department of Personnel and Training) and <u>Law Ministry</u>, suggesting a <u>cooling-off period</u> for bureaucrats joining politics after retirement, but it was rejected.

The Legislative Department of the Ministry of Law advised "that any such restriction (against officials joining politics or contesting polls) may not stand the test of valid classification under Article 14 (equality before the law) of the Constitution of India". And the DoPT told the EC that its suggestions "may not be appropriate and feasible."

Source: IE

Section 51 of the Disaster Management Act, 2005

Why in News

Recently, the former <u>Chief Secretary</u> of West Bengal was served a show cause notice by the Home Ministry under Section 51 of the Disaster Management (DM) Act, 2005.

Key Points

About the Show Cause Notice:

 The notice was issued for failing to comply with the Centre's directions to attend the review meeting on <u>Cyclone Yaas</u> chaired by the Prime Minister in Bengal's Kalaikunda.

The Act is violative of Section 51 (b) of the DM Act, 2005.

 Though the DoPT (Department of Personnel and Training) is the cadrecontrolling authority of Indian Administrative Service (IAS) officers, the show cause notice was served under provisions of the DM Act, which is under the purview of the Home Ministry.

• Section 51 (b) of the DM Act:

- The section prescribes "punishment for obstruction" for refusal to comply with any direction given by or on behalf of the Central government or the State government or the National Executive Committee or the State Executive Committee or the District Authority under the Act.
- Anyone refusing to comply with orders is liable for punishment with imprisonment up to one year, or fine, or both. In case this refusal leads to death of people, the person liable shall be punished with imprisonment up to two years.
- Section 51 of the Act has two important reservations.

Under the Act, the action on the part of the person has to be 'without reasonable cause' and 'failure of an officer to perform the duty without due permission or lawful excuse'.

• Previous Use of Provisions of DM Act:

- In April 2020, the Home Ministry made spitting in public a punishable offence. The guidelines issued by the Ministry under the DM Act, which are binding on the states, also made "wearing of face masks in public places mandatory."
- In March 2020, when thousands of migrants gathered at Anand Vihar railway station in Delhi due to the sudden announcement of the countrywide lockdown, two Delhi government officers were served show cause notice by the Centre under the DM Act for dereliction of duty.

About DM Act:

- The DM Act was passed by the government of India in 2005 for the efficient management of disasters and other matters connected to it. However it came into force in January 2006.
- It was invoked for the first time in the country in the wake of the Covid-19 pandemic in the year 2020.

The Centre, through the National Disaster Management Authority (NDMA) headed by the Prime Minister, invoked the provisions of the Act to streamline the management of the pandemic, empowering District Magistrates to take decisions and centralise other decisions on supply of oxygen and movement of vehicles.

• Main Features of DM Act 2005:

Nodal Agency:

The Act designates the **Ministry of Home Affairs** as the nodal ministry for steering the overall national disaster management.

- **Institutional Structure:** It puts into place a systematic structure of institutions at the national, state and district levels.
- Finance:

It contains the provisions for financial mechanisms such as the creation of funds for emergency response, **National Disaster Response Fund** and similar funds at the state and district levels.

Civil and Criminal Liabilities:

The Act also devotes several sections to various civil and criminal liabilities resulting from violation of provisions of the Act.

Source: TH

India Abstains from Latest Resolution Against Israel

Why in News

Recently, **Palestine blamed India for suppressing its human rights of all people** as India abstained from the latest resolution on the Palestinian issue.

- India abstained from voting on a resolution at the <u>United Nations Human Rights</u>
 <u>Council</u> (UNHRC) that came up in the backdrop of the latest round of <u>conflict</u>
 <u>between Israel and Gaza strip</u>, the coastal part of the Palestinian territories.
- UNHRC is an inter-governmental body within the <u>United Nations</u> (UN) system responsible for strengthening the promotion and protection of <u>human rights</u> around the world.



Key Points

The Resolution:

- It called on the UNHRC to set up a <u>permanent commission</u> to probe human rights violations in Gaza, West Bank and Palestine.
- It was adopted with the vote of 24 members. Nine voted against, and 14, including India, abstained.
 - Among the **countries that abstained** on the vote, along with India, were France, Italy, Japan, Nepal, the Netherlands, Poland, and South Korea.
 - China, Pakistan, Bangladesh, and Russia were among those who voted in favour; Germany, the UK, and Austria voted against the resolution.
- As it was passed, an independent commission of inquiry was formed to investigate violations of international law by Israel.

Palestine's Stand:

- The resolution is not an aberration to the Human Rights Council. It is the byproduct of extensive multilateral consultations.
- It is the consolidation of years and thorough investigations into and reporting on Israel's grave violations by States, UN's experts, Human Rights Treaty bodies, and international organisations.
 - The Palestinian people were deprived of applicability of international human rights law.
 - The root causes of the injustice against the Palestinian people was dispossession, displacement, <u>colonisation</u> by Israel.
- Therefore, India's abstention stifles the important work of Human Rights
 Council at advancing human rights for all peoples, including those of the
 Palestinian people.

India missed an opportunity to join the international community at this turning point, both crucial and long overdue, on the path to accountability, justice and peace.

• Till Date India's Position on Israel-Palestine Issue:

 India recognised Israel in 1950 but it is also the first non-Arab country to recognise Palestine Liberation Organisation (PLO) as the sole representative of the Palestinian.

India is also one of the first countries to recognise the statehood of Palestine in 1988.

- In 2014, India favored UNHRC's resolution to probe Israel's human rights violations in Gaza. Despite supporting the probe, India abstained from voting against Israel in UNHRC in 2015.
- As a part of Link West Policy, India has de-hyphenated its relationship with Israel and Palestine in 2018 to treat both the countries mutually independent and exclusive.
- In June 2019, India voted in favor of a decision introduced by Israel in the <u>UN</u>
 <u>Economic and Social Council (ECOSOC)</u> that objected to granting consultative status to a Palestinian non-governmental organization.
- In March 2021, <u>International Criminal Court (ICC)</u> launched investigatations into the war crimes in <u>Palestinian territories occupied by Israel (West Bank</u> <u>and the Gaza Strip).</u>

Israel wanted India to take a stand against it, however it did not happen.

 So far, India has tried to maintain the image of its historical moral supporter for Palestinian self-determination, and at the same time to engage in the military, economic, and other strategic relations with Israel.

Way Forward

 India's policy on the longest running conflict in the world has gone from being unequivocally pro-Palestine for the first four decades, to a tense balancing act with its three-decade-old friendly ties with Israel.

In today's multipolar world, **India needs to have a balanced approach.**

- The world at large needs to come together for a peaceful solution but the reluctance of the Israeli government and other involved parties have aggravated the issue more. Thus a balanced approach would help to maintain favorable relations with Arab countries as well as Israel.
- The recent normalization agreements between Israel and the UAE, Bahrain,
 Sudan, and Morocco, known as the <u>Abraham Accords</u>, are the steps in the right direction. All regional powers should envisage peace between the two countries on line of Abraham Accords.

So	u	rC	e:	T	Н	
----	---	----	----	---	---	--

SCO Agreement on Mass Media Cooperation

Why in News

The Union Government approved the signing and ratification of an Agreement on 'Cooperation in the field of Mass Media' between all the Member States of Shanghai Cooperation Organization (SCO).

The Agreement was **signed in June 2019.** It will provide an opportunity for the Member States **to share new innovations and best practices** in the field of Mass Media.

Main Areas of Cooperation:

- Creation of a favorable system for mutual and wide distribution of information via Mass Media in a bid to deepen the knowledge about the lives of the people of their States.
- Cooperation among the Editorial Offices of the Mass Media of their States as well as between the relevant Ministries, Agencies, and Organizations in the field of Mass Media.
- Promoting equal and mutually beneficial cooperation between professional associations of journalists of the States.
- Aiding broadcast of television and radio programs and those distributed legally within the territory of the State.
- Encouraging the exchange of specialists and experience in the field of Mass Media, offer mutual assistance in training media professionals, and promote cooperation between scientific research and educational institutions in the field of Mass Media.
- Shanghai Cooperation Organisation (SCO):
 - About:
 - SCO is a permanent intergovernmental international organisation.
 - It's a Eurasian political, economic and military organisation aiming to maintain peace, security and stability in the region.
 - Formation:
 - It was created in 2001.
 - The SCO Charter was signed in 2002, and entered into force in 2003.
 - Official Language:

The SCO's official languages are **Russian and Chinese**.

• Members:

Eight countries are part of SCO, **which are:** Kazakhstan, China, Kyrgyzstan, Russia, Tajikistan, Uzbekistan, India and Pakistan.

- SCO has two Permanent Bodies:
 - SCO Secretariat in Beijing (China), and
 - Executive Committee of the Regional Anti-Terrorist Structure (RATS) in Tashkent (Uzbekistan).
- The Chairmanship of SCO is by rotation for a year by Member States.
 The Republic of Tajikistan has assumed chairmanship of SCO for 2021 22.
- The 20th Summit of the SCO took place in 2020.
- Recently, the Vice President of India has launched the <u>first ever SCO Online</u>
 <u>Exhibition on Shared Buddhist Heritage.</u>

Source: TH

Why in News

Recently, the <u>National Aeronautics and Space Administration (NASA)</u> announced two new robotic missions to Venus.

Earlier, scientists obtained <u>new data about Venus by bouncing radio waves</u> off the planet.

Key Points

· Aim:

The two sister missions aim to understand how Venus became an inferno-like world capable of melting lead at the surface.

About:

DaVinci Plus:

It will be the first of the two, it will analyze the thick, cloudy Venusian atmosphere in an attempt to determine whether the inferno planet ever had an ocean and was possibly habitable. A small craft will plunge through the atmosphere to measure the gases.

Veritas:

It will be the second one seeking a **geologic history by mapping the rocky planet's surface.**

• Significance:

The new missions will give fresh views of the planet's atmosphere, made up mostly of carbon dioxide, down to the core.

Previous Missions:

o US:

Mariner series 1962-1974, **Pioneer** Venus 1 and Pioneer Venus 2 in 1978, Magellan in 1989.

Russia:

Venera series of space crafts 1967-1983, **Vegas** 1 and 2 in 1985.

Japan:

Akatsuki in 2015.

Europe:

Venus Express in 2005.

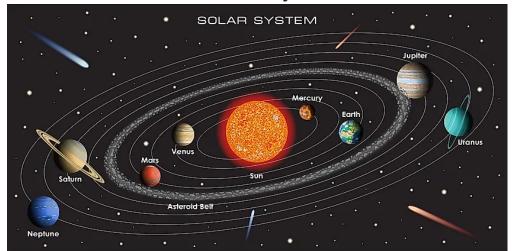
Indian Initiative:

India plans to launch a new orbiter named **Shukrayaan** to Venus in 2024.

Venus

About:

 It is named after the Roman goddess of love and beauty. It is the second planet from the Sun and sixth in the solar system in size and mass.



- It is the second brightest natural object in the night sky after the Moon, probably that is the reason why it was the first planet to have its motions plotted across the sky, as early as the second millennium BC.
- Unlike the other planets in our solar system, Venus and Uranus spin clockwise on their axis.
- It is the hottest planet in the solar system because of the high concentration of carbon dioxide which works to produce an intense greenhouse effect.
- A day on Venus is longer than a year. It takes Venus longer to rotate once on its axis than to complete one orbit of the Sun.

That's **243 Earth days to rotate once** - the longest rotation of any planet in the Solar System - and only **224.7 Earth days to complete one orbit of the Sun**.

Venus & Earth:

- Venus has been called Earth's twin because of the similarities in their masses,
 sizes, and densities and their similar relative locations in the solar system.
- No planet approaches closer to Earth than Venus; at its nearest it is the closest large body to Earth other than the Moon.
- Venus has 90 times the atmospheric pressure of Earth.

Reason For Studying Venus:

- It will help to learn how Earth-like planets evolve and what conditions exist on Earth-sized <u>exoplanets</u> (planets that orbit a star other than our sun).
- It will help in modelling Earth's climate, and serves as a cautionary tale on how dramatically a planet's climate can change.

Source:IE

First Human Case of H10N3 Bird Flu

Why in News

Recently, **China** has reported the **first case of human infection with the H10N3 strain of bird flu** in Jiangsu province.

Key Points

- H10N3 is a subtype of the Influenza A virus which is commonly known as the bird flu virus.
- It is a low pathogenic, or relatively less severe, strain of the virus in poultry and the risk of it spreading on a large scale is very low.

Among animals, it can **spread through respiratory droplets**, similar to **flu** and **Covid-19**.

• The strain is **not a very common** virus, **only about 160 isolates of the virus have been reported in the past 40 years** (till 2018), that too, mostly in wild birds or waterfowl in Asia and some parts of North America.

None had been detected in chickens as of now.

 There are many different strains of avian influenza in China and some sporadically infect people, generally those working with poultry.

However, there have been no significant numbers of human infections with bird flu since the H7N9 strain killed around 300 people during 2016-2017.

Bird Flu

About:

- Bird flu, also known as <u>Avian influenza (AI)</u>, is a highly contagious viral disease affecting several species of food-producing birds (chickens, turkeys, quails, guinea fowl, etc.) as well as pet birds and wild birds.
- o Occasionally mammals, including humans, may contract avian influenza.
- Types of Influenza Viruses:
 - o Influenza viruses are grouped into three types; A, B, and C.
 - Only type A is known to infect animals and is zoonotic, meaning it can also infect humans.

Avian influenza virus subtypes include A(H5N1), A(H7N9), A(H9N2) and A(H10N3).

• Type **B and C mostly infect humans** and typically cause mild disease.

• Classification:

Influenza viruses are classified into subtypes based on two surface proteins,
 Hemagglutinin (HA) and Neuraminidase (NA).

For example, a virus that has an HA 7 protein and NA 9 protein is designated as subtype H7N9.

- Highly Pathogenic Avian Influenza (HPAI) A(H5N1) virus occurs mainly in birds and is highly contagious among them.
- **HPAI Asian H5N1** is especially deadly for poultry.

Impact:

- Avian Influenza outbreaks can lead to devastating consequences for the country, particularly the poultry industry.
- Farmers might experience a high level of mortality in their flocks, with rates often around 50%.

• Prevention:

Strict **biosecurity measures** and **good hygiene** are essential in protecting against disease outbreaks.

• Eradication:

If the infection is detected in animals, a policy of culling infected and contact animals is normally used in an effort to rapidly contain, control and eradicate the disease.

• India's Status:

- Fresh cases of bird flu were reported in different states of India between
 December 2020-January 2021 causing alarm across the country.
- Previously in 2019, India was declared free from Avian Influenza (H5N1), which had also been notified to the World Organization for Animal Health (OIE).

The **OIE** is an intergovernmental organisation responsible for improving animal health worldwide. It is headquartered in Paris, France.

Source: TH