



Fundamental Duties

For Prelims: Fundamental Duties, Swaran Singh Committee

For Mains: Significance of Fundamental Duties, Swaran Singh Committee, Enforcing Fundamental Duties

Why in News?

Recently, [Chief Justice of India](#) said **Fundamental Duties** in the Constitution are **not merely to serve a "pedantic or technical" purpose**, but they were incorporated as the key to social transformation.

How were the Fundamental Duties Incorporated?

- The idea of Fundamental Duties is **inspired from the Constitution of Russia (erstwhile Soviet Union)**.
- These were incorporated in **Part IV-A of the Constitution by the 42nd Constitutional Amendment Act, 1976** on the recommendations of the **Swaran Singh Committee**.
- Originally 10 in number, one more duty was added through the **86th Constitutional Amendment Act, 2002**.
 - All the eleven duties are listed in **Article 51-A of the Constitution** (the sole Article in Part-IV-A).
- Like the [Directive Principles of State Policy](#), Fundamental duties are also non-justiciable in nature.

What are the Listed Fundamental Duties?

- To abide by the Constitution and respect its **ideals and institutions, the National Flag and the National Anthem**,
- To cherish and follow the noble ideals **that inspired the national struggle for freedom**,
- To **uphold and protect the sovereignty**, unity and integrity of India,
- To **defend the country and render national service** when called upon to do so,
- To promote **harmony and the spirit of common brotherhood amongst all** the people of India transcending religious, linguistic and regional or sectional diversities and to renounce practices derogatory to the dignity of women,
- To **value and preserve the rich heritage** of the country's composite culture,
- To protect and **improve the natural environment** including forests, lakes, rivers and wildlife and to have compassion for living creatures,
- To develop scientific temper, humanism and the **spirit of inquiry and reform**,
- To safeguard **public property and to abjure violence**,
- To strive **towards excellence in all spheres** of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement, and
- To provide **opportunities for education to his child or ward between the age of six and fourteen years** (added by the 86th Constitutional Amendment Act, 2002).

What is the Significance of Fundamental Duties?

- **Constant Reminder of Democratic Conduct:**
 - Fundamental Duties are intended to serve as a constant reminder to every citizen that while the Constitution specifically conferred on them certain **fundamental rights**, it also requires citizens to observe basic norms of democratic conduct and democratic behaviour.
- **Admonishes Against Anti-Social Activities:**
 - They serve as a **warning to the people against the anti-social activities** that disrespect the nation like burning the flag, destroying public property or disturbing public peace.
- **Sense of Discipline and Commitment:**
 - These help in the **promotion of a sense of discipline and commitment towards the nation.**
 - They help in **realising national goals** by the active participation of citizens rather than mere spectators.
- **Help Determine Constitutionality of Law:**
 - It helps the Court in determining the constitutionality of the law.
 - For instance, any law passed by the legislatures, when taken to Court for constitutional validity of the law, **if it is giving force to any Fundamental Duty, then such law would be taken as reasonable.**

What is the Supreme Court's Stand on Fundamental Duties?

- The Supreme Court's *Ranganath Mishra judgment 2003* held that fundamental duties should **not only be enforced by legal sanctions but also by social sanctions.**
- In *All India Students Union v. All India Institute of Medical Sciences 2001*, it was held by the Supreme Court that **fundamental duties are equally important as fundamental rights.**
 - Though fundamental duties are not enforceable like fundamental rights **they cannot be overlooked as duties in Part IV A.**
 - They are prefixed by the same word fundamental **which was prefixed by the founding fathers of the Constitution to 'right' in Part III.**

Way Forward

- The fundamental duties are not merely pedantic or technical. They were incorporated as the key to social transformation.
- In order to contribute meaningfully to society, the **citizens must first understand the Constitution and its organs.** "It is imperative for the people to understand the system and its nuances, the powers and the limitations.
- That is why it is very important to spread constitutional culture in India.
- There is a need for every citizen **to be a meaningful stakeholder in Indian democracy** and try to imbibe the **Constitutional philosophy in its true spirit.**
- There is a need for a uniform policy for the "proper sensitization, full operationalization and enforceability" of fundamental duties **which would "substantially help citizens to be responsible".**

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. "To uphold and protect the Sovereignty, Unity and Integrity of India" is a provision made in the (2015)

- (a) Preamble of the Constitution
- (b) Directive Principles of State Policy
- (c) Fundamental Rights
- (d) Fundamental Duties

Ans: (d)

Exp:

- Fundamental Duties were added to the Constitution by 42nd Amendment Act on the recommendation of Swaran Singh Committee.
- 'To uphold and protect the Sovereignty, Unity and Integrity of India', is enshrined as one of the Fundamental Duties under Article 51A(c) of the Indian Constitution.
- **Therefore, option (d) is the correct answer.**

Q. Which of the following statements is/are true of the Fundamental Duties of an Indian citizen? (2017)

1. A legislative process has been provided to enforce these duties.
2. They are correlative to legal duties.

Select the correct answer using the code given below:

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

Ans: (d)

[Source: TH](#)

Conserving India's Coastal Ecosystems

For Prelims: CAG, Environment Protection Act, Coastal Regulation Zone Notification, Gulf of Mannar, Gulf of Kutch

For Mains: Conserving India's Coastal Ecosystems and related issues

Why in News?

Recently, the [Comptroller and Auditor General \(CAG\)](#) of India tabled a report in Parliament on whether steps taken by the Union Environment Ministry to **conserve India's coastal ecosystems have been successful.**

- This latest report **contains the observations from an audit of Conservation of Coastal Ecosystems from 2015-20.**

Why did the CAG conduct this Audit?

- The CAG has a **constitutional mandate to investigate and report** on publicly funded programmes.
- The CAG **conducted "pre-audit studies"** and found that there were large-scale Coastal Regulation Zone (CRZ) violations in the coastal stretches.
 - **Coastal land up to 500 metres from the High Tide Line (HTL)** and a stage of 100m along banks of creeks, lagoons, estuaries, backwater and rivers subject to tidal fluctuations

is called Coastal Regulation Zone (CRZ).

- The media reported **incidents of illegal construction activities** (reducing beach space) and effluent discharged by local bodies, industries, and aquaculture farms that prompted a detailed investigation.

How is the Center Responsible for Conserving the Coastline?

▪ About:

- The government has issued notifications under the [Environment Protection Act, 1986](#), to regulate activities along India's coasts particularly regarding construction.
- The [Coastal Regulation Zone Notification \(CRZ\) 2019](#), implemented by the Ministry, classifies the coastal area into different zones to manage infrastructure activities and regulate them.
 - The **three institutions responsible for the implementation of the CRZ** are:
 - **National Coastal Zone Management Authority (NCZMA)** at the Centre
 - **State/Union Territory Coastal Zone Management Authorities (SCZMAs/UTCZMAs)** in every coastal State and Union Territory and
 - **District Level Committees (DLCs)** in every district that has a coastal stretch and where the CRZ notification is applicable.

▪ Role of the Bodies:

- These bodies examine if **CRZ clearances granted by the government are as per procedure**, if project developers once given the go-ahead are complying with conditions, and if the project development objectives under the [Integrated Coastal Zone Management Programme \(ICZMP\)](#) are successful.
- They also **evaluate the measures taken up by the government** towards achieving the targets under [Sustainable Development Goals](#).

What did the Audit Find?

▪ NCZMA as a Permanent Body:

- The **Environment Ministry hadn't notified NCZMA as a permanent body** and it was being reconstituted every few years.
- In the absence of **defined membership**, it was functioning as an ad-hoc body.

▪ Role of Expert Appraisal Committees:

- There were **instances of the Expert Appraisal Committees** not being present during project deliberations.
 - EAC is **a committee of scientific experts and senior bureaucrats** who evaluate the feasibility of an infrastructure project and its environmental consequences.
- There **were also instances of the members of the EAC** being fewer than half of the total strength during the deliberations.

▪ SCZMAs not Constituted:

- At state-level where the State Coastal Zone Management Authorities (SCZMAs) take decisions, the **central auditor observed the instances where SCZMA granted clearance on its own without recommending the projects** to relevant authorities.
- Further, **SCZMAs had recommended many projects** without the submission of mandatory documents.

▪ Approval of Projects despite Inadequacies:

- There were **instances of projects being approved despite inadequacies** in the [Environment Impact Assessment \(EIA\) reports](#).
 - These included **non-accredited consultants preparing the EIA**, using outdated data, not evaluating environmental impacts of the project, not appraising the disasters which the project area was prone to and so forth.

What Problems did the CAG find in the States?

- Tamil Nadu didn't have a **strategy in place to conserve the [Gulf of Mannar Islands](#)**.
- In Goa, there was no system for monitoring coral reefs and no management plans to conserve **turtle** nesting sites.
- In Gujarat, instruments procured to study the physiochemical parameters of soil and water of the inertial area of the **[Gulf of Kutch](#)** weren't used.
- Sea patrolling in **[Gahirmatha Sanctuary](#)**, in Kendrapara, Odisha did not happen.

What are the Indian Initiatives for Coastal Management?

- **[National Centre for Sustainable Coastal Management:](#)**
 - It aims to **promote integrated and sustainable management of the coastal and marine areas** in India for the benefit and wellbeing of the traditional coastal and island communities.
- **[Integrated Coastal Zone Management Plan:](#)**
 - It is a **process for the management of the coast** using an integrated approach, regarding all aspects of the coastal zone, including geographical and political boundaries, in an attempt to achieve sustainability.
- **[Coastal Regulation Zone:](#)**
 - The Coastal Regulation Zone (CRZ) notification was issued in 1991 under the Environmental Protection Act, 1986, by the Ministry of Environment, Forest and Climate Change to regulate activities in coastal areas of India.

Way Forward

- These reports are placed before the Standing Committees of Parliament, which select those findings and recommendations that they judge to be the most critical to public interest and arrange hearings on them.
- In this case, the Environment Ministry is expected to explain omissions pointed out by the CAG and make amends.
- SCZMAs and NCZMAs may be made as permanent bodies with full time members to carry out all the mandated activities for protecting the coastal environment.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following statements: (2019)

The Environment Protection Act, 1986 empowers the Government of India to

1. state the requirement of public participation in the process of environmental protection, and the procedure and manner in which it is sought
2. lay down the standards for emission or discharge of environmental pollutants from various sources

Which of the statements given above is/are correct?

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

Ans: (b)

Exp:

- Environmental Impact Assessment (EIA) Notification 2006 was issued under relevant provisions of the Environment (Protection) Act, 1986.
 - The EIA provides for screening, scoping, public consultation and appraisal of project

proposals.

- One of the most significant determinants of EIA is the procedure of Public Hearing and Public Participation on any developmental project.
- However, the Environment (Protection) Act (EPA), 1986, nowhere mentions public participation for environmental protection. It is only concerned with government authorities and polluters to protect the environment. **Hence, statement 1 is not correct.**
 - The EPA, 1986 empowers the Central Government to take all appropriate measures to prevent and control pollution and to establish effective machinery for the purpose of protecting and improving the quality of environment and preventing, abating and controlling environmental pollution.
 - Section 3 of the EPA, 1986, empowers the Central Government to lay down standards for emission or discharge of environmental pollutants from various sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources. Hence, statement 2 is correct.
- **Therefore, option (b) is the correct answer.**

[Source: TH](#)

Formation of Continents

For Prelims: Continental Drift, Plate Tectonics Theory

For Mains: Continent Formation, Continental Drift and Plate Tectonics Theory

Why in News?

According to a new study, **the earth's continents were formed by massive meteorite impacts** that were prevalent during the first billion years of our planet's four and a half billion-year history.

What are the Highlights of the Study?

- **About:**
 - Meteorite impacts **generated massive energy to form oceanic plates**, which later evolved into continents.
 - The theory that giant meteorite impacts formed continents had been around for decades, but until now, there was little solid evidence for its support.
 - The Current theory is the most commonly accepted theory in place that attributes continent formation to the movement of [tectonic plates](#).
- **Evidence for Meteorite Impact Theory:**
 - **Zircon crystals in Pilbara Craton:** The researchers looked for evidence in zircon crystals embedded in rocks from the Pilbara Craton in Western Australia. This craton is the remnant of an ancient crust that began forming more than three billion years ago.
 - **Zircons are formed by the crystallisation of magma** or are found in metamorphic rocks.
 - They act as tiny time capsules, recording the period of geologic activity. Newer zircon adds to the original crystal as time progresses.
 - The study of the variants or isotopes of oxygen within these crystals i.e., oxygen-18 and oxygen-16 and their ratio helped to estimate past temperatures.

- Older grains of zircon possessed the lighter oxygen-16. The younger ones contained the heavier oxygen-18.
- **Cratons:** A craton is an old and stable part of the continental lithosphere, which consists of Earth's two topmost layers, the crust and the uppermost mantle.
- **Need for Understanding the Formation of Continents:**
 - Understanding the formation and evolution of continents is important, as **it is the key to reserves of metals such as lithium, tin and nickel.**
 - **Most of Earth's biomass and most humans live on these landmasses,** so understanding how continents form and evolve is crucial.

What are the Theories related to Continent Formation?

- **Plate Tectonics Theory:**
 - Developed from the 1950s to the 1970s, the **theory of plate tectonics is the modern update to continental drift**, an idea first proposed by scientist Alfred Wegener in 1912 which stated that **Earth's continents had "drifted" across the planet over time.**
 - **Wegener didn't have a correct explanation for how continents could move** around the planet, but researchers do now.
 - Plate tectonics is the theory that **Earth's outer shell is divided into large slabs of solid rock**, called "plates," that glide over Earth's mantle, the rocky inner layer above Earth's core.
 - Earth's solid outer layer, which includes the crust and the uppermost mantle, is called the **Lithosphere.**
 - Below the lithosphere is the asthenosphere — a viscous layer kept malleable by heat deep within the Earth.
 - It lubricates the undersides of Earth's tectonic plates, allowing the lithosphere to move around.
 - The Earth's Lithosphere is divided into seven major and some minor plates.
 - **Major Plates:**
 - The **Antarctic** (and the surrounding oceanic) **Plate**
 - The **North American Plate** (with western Atlantic floor separated from the South American plate along the Caribbean islands)
 - The **South American Plate** (with western Atlantic floor separated from the North American plate along the Caribbean islands)
 - **The Pacific Plate**
 - The **India-Australia-New Zealand Plate**
 - **Africa with the eastern Atlantic floor Plate**
 - **Eurasia and the adjacent oceanic Plate**
 - Some important minor plates include:
 - **Cocos Plate:** Between Central America and Pacific plate
 - **Nazca Plate:** Between South America and Pacific plate
 - **Arabian Plate:** Mostly the Saudi Arabian landmass
 - **Philippine Plate:** Between the Asiatic and Pacific plate
 - **Caroline Plate:** Between the Philippine and Indian plate (North of New Guinea)
 - **Fuji Plate:** North-east of Australia
 - The movement of the tectonic plates creates three types of tectonic boundaries:
 - **Convergent**, where plates move into one another.
 - **Divergent**, where plates move apart.
 - **Transform**, where plates move sideways in relation to each other.

▪ **Continental Drift Theory:**

- Continental drift theory **deals with the distribution of the oceans and the continents**. It was first suggested by a German meteorologist, Alfred Wegener in 1912.
- According to the theory, all the continents formed a single continental mass- **Pangea** and mega ocean- **Panthalassa** surrounded it.
- Around 200 million years ago Pangea started splitting and **broke down into two large continental masses as Laurasia and Gondwanaland** forming the northern and southern components respectively.
- Subsequently, **Laurasia and Gondwanaland** continued to break into various smaller
- **Prominent Evidence in Support of Continental Drift Theory**
 - **South America and Africa seem to fit in with each other**, especially the eastern bulge of Brazil fits into the Gulf of Guinea.
 - **Greenland seems to fit in with Ellesmere and Baffin islands.**
 - The **west coast of India, Madagascar and Africa seems to fit.**
 - North and South America on one side and Africa and Europe on the other fit along the Mid-Atlantic Ridge.
 - Alfred Wegener studied fossils of ancient plants and animals, geographical features on the borders of the continent and mineral resources and found similar results on the boundaries of the other continents.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. Which of the following phenomena might have influenced the evolution of organisms? (2014)

1. Continental drift
2. Glacial cycles

Select the correct answer using the code given below:

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

Ans: (c)

Exp:

- Continental drift explains how the continents shift position on the Earth's surface due to movement of lithospheric plates.
- In glacial cycle, during a glacial period, glacial advancement occurs and in an interglacial period (the warmer period between the ice ages) glaciers retreat. Both the processes of continental drift and glacial cycles have influenced the evolution of organisms. **Hence, 1 and 2 are correct.**
- **Therefore, option (c) is the correct answer.**

Mains

Q. What do you understand by the theory of 'continental drift'? Discuss the prominent evidences in its support. **(2013)**

Source: DTE

Manual Scavengers Enumeration Exercise

For Prelims: Initiatives to tackle Menace of Manual Scavenging, Swachh Bharat Mission

For Mains: Menace of Manual Scavenging, Issues related to SC, STs

Why in News?

The Ministry of Social Justice and Empowerment (MoSJ&E) is preparing to undertake a nationwide survey to **enumerate all Sanitation workers engaged in cleaning of sewers and septic tanks.**

What are the Key Points?

- The enumeration exercise is part of **the National Action Plan for Mechanised Sanitation Ecosystem (NAMASTE) Scheme** and will be conducted across **500 [AMRUT \(Atal Mission for Rejuvenation and Urban Transformation\)](#) cities.**
- It will merge with and replace the **Self-Employment Scheme for the Rehabilitation of Manual Scavengers (SRMS)**, which was started in 2007.
- Programme Monitoring Units (PMUs) for the 500 AMRUT cities will be set up to carry out the exercise.
- Once this exercise is completed across the 500 cities, it will be **expanded nationwide, making it easier to bring government benefits** like upskilling and loan and capital subsidies to them.

What is the NAMASTE Scheme?

- **About:**
 - It was launched in July 2022.
 - The NAMASTE scheme is being undertaken jointly by the Ministry of Housing and Urban Affairs and the MoSJ&E and **aims to eradicate unsafe sewer and septic tank cleaning**

practices.

▪ **Objectives:**

- Zero fatalities in sanitation work in India.
- All sanitation work **is performed by skilled workers.**
- No sanitation workers come in direct contact with human faecal matter.
- Sanitation workers are collectivised into [Self Help Groups \(SHGs\)](#) and are empowered to run sanitation enterprises.
- Strengthened supervisory and monitoring systems at National, State and Urban Local Body (ULB) levels to ensure enforcement and monitoring of safe sanitation work.
- Increased awareness among sanitation services seekers (individuals and institutions) to seek services from registered and skilled sanitation workers.

What is the Need for Enumeration Exercise?

- [Manual Scavenging](#) has led to at **least 351 deaths since 2017.**
- It is aimed at streamlining the process of rehabilitating sanitation workers.
- It will make it easier to bring government benefits like upskilling and loan and capital subsidies to them.
- To link listed sanitation workers to the **Swaachha Udyami Yojana**, through which the workers will be able to own sanitation machines themselves and the government will ensure that at the municipality level, the work keeps coming in.
 - Swaachha Udyami Yojana has twin objectives of **cleanliness and providing livelihood to [Safai Karamcharis](#)** and liberated Manual Scavengers to achieve the overall goal of **[“Swachh Bharat Abhiyan”](#).**

What is Manual Scavenging?

- Manual scavenging is defined as **“the removal of human excrement from public streets and dry latrines, cleaning septic tanks, gutters and sewers”.**
- India banned the practice under the [Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 \(PEMSR\)](#).
 - The Act bans the use of any individual manually cleaning, carrying, disposing of or otherwise handling in any manner human excreta till its disposal.
 - The Act recognizes **manual scavenging as a “dehumanizing practice.**

Why is Manual Scavenging Still Prevalent?

- **Indifferent Attitude:**
 - A number of independent surveys have talked about **the continued reluctance on the part of state governments** to admit that the practice prevails under their watch.
- **Issues due to Outsourcing:**
 - Many times, local **bodies outsource sewer cleaning tasks to private contractors. However,** many of them fly-by-night operators, do not maintain proper roles of sanitation workers.
 - In case after case of workers being asphyxiated to death, **these contractors have denied any association with the deceased.**
- **Social Issue:**
 - The practice is driven by **caste, class and income divides.**
 - It is linked to India’s caste system where so-called lower castes are expected to perform this job.
 - In 1993, **India banned the employment of people as manual scavengers** (The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993), however, the stigma and discrimination associated with it still linger on.
 - This makes **it difficult for liberated manual scavengers** to secure alternative livelihoods.
- **Lack of Enforcement and Unskilled Labourers:**

- The lack of enforcement of the Act and exploitation of unskilled labourers are the reasons why the practice is still prevalent in India.

What are the Steps taken to tackle the Menace of Manual Scavenging?

- **The Prohibition of Employment as Manual Scavengers and their Rehabilitation (Amendment) Bill, 2020:**
 - It proposes to completely mechanise sewer cleaning, introduce ways for 'on-site' protection and provide compensation to manual scavengers in case of sewer deaths.
 - It will be an amendment to The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
 - It is still awaiting cabinet approval.
- **The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:**
 - Superseding the 1993 Act, the 2013 Act goes beyond prohibitions on dry latrines, and outlaws all manual excrement cleaning of insanitary latrines, open drains, or pits.
- **The Building and Maintenance of Insanitary Latrines Act of 2013:**
 - It outlaws construction or maintenance of insanitary toilets, and the hiring of anybody for their manual scavenging, as well as of hazardous cleaning of sewers and septic tanks.
 - It also provides a constitutional responsibility to provide alternative jobs and other assistance to manual scavenging communities, as reparation for historical injustice and indignity.
- **Prevention of Atrocities Act:**
 - In 1989, the Prevention of **Atrocities Act** became an integrated guard for sanitation workers, more than 90% people employed as manual scavengers belonged to the Scheduled Caste. This became an important landmark to free manual scavengers from designated traditional occupations.
- **Safaimitra Suraksha Challenge:**
 - It was launched by the Ministry of Housing and Urban Affairs on **World Toilet Day** (19th November) in 2020.
 - The Government launched this "challenge" for all states to make sewer-cleaning mechanised by April 2021 — if any human needs to enter a sewer line in case of unavoidable emergency, proper gear and oxygen tanks, etc., are to be provided.
- **'Swachhta Abhiyan App':**
 - It has been developed to identify and geotag the data of insanitary latrines and manual scavengers so that the insanitary latrines can be replaced with sanitary latrines and rehabilitate all the manual scavengers to provide dignity of life to them.
- **SC Judgment:** In 2014, a **Supreme Court** order made it mandatory for the government to identify all those who died in sewage work since 1993 and provide Rs. 10 lakh each as compensation to their families.

Way Forward

- With **Swachh Bharat Mission** identified as a top priority area by the **15th Finance Commission** and funds available for smart cities and urban development providing for a strong case to address the problem of manual scavenging.
- To address the social sanction behind manual scavenging, **it is required first to acknowledge and then understand how and why manual scavenging continues** to be embedded in the caste system.
- The state and society **need to take active interest in the issue and look into all possible options** to accurately assess and subsequently eradicate this practice.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. 'Rashtriya Garima Abhiyaan' is a national campaign to (2016)

- (a) rehabilitate the homeless and destitute persons and provide them with suitable sources of livelihood
- (b) release the sex workers from their practice and provide them with alternative sources of livelihood
- (c) eradicate the practice of manual scavenging and rehabilitate the manual scavengers
- (d) release the bonded labourers from their bondage and rehabilitate them

Ans: (c)

Exp:

- Rashtriya Garima Abhiyaan is a national campaign for dignity and eradication of manual scavenging launched by Jan Sahas in 2001.
- Therefore, option (c) is the correct answer.

Mains

Q. What are the areas of prohibitive labour that can be sustainably managed by robots? Discuss the initiatives that can propel the research in premier research institutes for substantive and gainful innovation. (2015)

[Source: TH](#)

Review of Guardianship and Adoption Laws

For Prelims: Adoption (First Amendment) Regulations, 2021, CARA

For Mains: Child Adoption in India and related issues, Issues Related to Children

Why in News?

Recently, the Parliamentary Standing Committee on Personnel, Public Grievances and Law and Justice tabled a report “**Review of Guardianship and Adoption Laws**” in Parliament and recommended **district-level surveys to identify orphaned and abandoned children.**

- In India, there are only 2,430 children available for adoption while the **number of parents desiring to bring home a child is growing rapidly.**

What are the Key Findings of the Report?

- There were 27,939 prospective parents registered with the [Child Adoption Resource Authority \(CARA\)](#) as of December 2021, up from nearly 18,000 in 2017.
 - **CARA**, a statutory body of the Ministry of Women & Child Development, functions as the **nodal body for adoption of Indian children and is mandated to monitor and regulate** in-country and inter-country adoptions.
- There was a total of 6,996 orphaned, abandoned and surrendered children residing in childcare institutions considered adoptable, only **2,430 were declared “legally free” for adoption by Child Welfare Committees.**
 - There are only 2,430 children found to be legally free for adoption in India with an

estimated 3.1 crore orphans because of the **failure to bring more children in need of care into the government's safety net.**

- The waiting time for adoption has increased **to three years from one year** in the past five years.
- The total number of children adopted in 2021-2022 was only 3,175.

What are the Recommendations?

- A monthly meeting chaired by the **District Magistrate should be held in every district** to “ensure that orphan and abandoned children found begging in streets are produced before the **Child Welfare Committee and are made available for adoption at the earliest.**”
- The point should not be to track more children and put them into adoption, but to not leave children out of the safety net. Such an exercise should not aim to provide more children because so many adoptive parents are waiting, **but to identify those genuinely without a family otherwise poor people will have their children snatched away.**
- In order to link children to nurturing families there is a need for a **paradigm shift that looks beyond “custodial” needs such as food and shelter and focuses on their rights.**
- Many children are under parental care, but not optimal care. There are parents abusing their own children or neglecting them and then having an adequate safety net for these children so that they get the help they need. The failure to do so also leads to malpractice, which was **why adoptions were centralised in 2015.**

What are Adoption and Related Rules in India?

- **About:**
 - Adoption is the **formal process through which a child is permanently separated from his biological parents** to become the lawful child of his adoptive parents.
 - The adopted child enjoys all rights, privileges and responsibilities attached to a biological child.
 - The fundamental principles that **govern adoption state that the interests of the child are most important and preference is to be given to place the child in adoption with Indian citizens** with “due regard to the principle of placement of the child in his socio-cultural environment, as far as possible”.
- **Legislations:**
 - The **Hindu Adoption and Maintenance Act, 1956 (HAMA):**
 - Under the Act, a Hindu parent or guardian can give a child in adoption to another Hindu parent.
 - The Act does not allow the adoption of an orphaned, abandoned or surrendered child who is in the care of any specialized adoption agency (SSA) or child care institution.
 - Inter-country adoptions don't come under the purview of this Act.
 - The **Juvenile Justice (Care and Protection of Children) Act, 2015.** This includes Juvenile Justice (Care and Protection of Children) Model Rules, 2016 and Adoption Regulations, 2017.
 - As per the government rules, **Hindus, Buddhists, Jains, and Sikhs are legalized to adopt kids.**
 - An orphan, abandoned, or surrendered child who **has been declared legally free** for adoption by the **Child Welfare Committee (CWC)** can be adopted. This only happens under the provisions of the JJ Act 2015.
 - Until the JJ Act, the Guardians and Ward Act (GWA), 1980 was the **only means for non-Hindu individuals to become guardians** of children from their community.
 - However, since the GWA appoints individuals as legal guardians and not natural parents, guardianship is terminated once the ward turns 21 and the ward assumes individual identity.

What are the Challenges for Child Adoption?

- **Declining Statistics and Institutional Apathy:**
 - There is a **wide gap between adoptable children and prospective parents**, which

may increase the length of the adoption process.

- Data shows that while more than 29,000 prospective parents are willing to adopt, just 2,317 children are available for adoption.

- **Returning Children after Adoption:**

- Between 2017-19, the Central Adoption Resource Authority (CARA) faced an unusual upsurge in adoptive parents returning children after adopting.
- According to the data, **60% of all children returned were girls, 24% were children with special needs**, and many were older than six.
 - The primary reason these ‘disruptions’ occur is that disabled children and older children take much longer to adjust to their adoptive families.

- **Disability and Adoption:**

- Only 40 children with disabilities were adopted between 2018 and 2019, accounting for approximately 1% of the total number of children adopted in the year.
- Annual trends reveal that domestic adoptions of children with special needs are dwindling with each passing year.

- **Manufactured Orphans and Child Trafficking:**

- In 2018, Ranchi’s Mother Teresa’s Missionaries of Charity came under fire for its **“baby-selling racket”** after a nun from the shelter confessed to selling four children.
 - Similar instances are **becoming increasingly common as the pool of children available for adoption** shrinks and waitlisted parents grow restless.

- **LGBTQ+ Parenthood and Reproductive Autonomy:**

- Despite the constant evolution of the definition of a family, the ‘ideal’ Indian family nucleus still constitutes a husband, a wife and daughter(s) and son(s).
- The invalidity of LGBTQI+ marriages and relationships in the **eyes of the law obstructs LGBTQI+ persons from becoming parents because the minimum eligibility** for a couple to adopt a child is the proof of their marriage.
- To negotiate these unfavorable legalities, illegal adoptions are becoming increasingly common among queer communities.

Way Forward

- The primary purpose **of giving a child in adoption is his welfare and restoring his or her right to family.**
- The adoption **ecosystem needs to transition from a parent-centric perspective** to a child-centric approach.
- There is a **need to adopt an inclusive approach that focuses on the needs of a child to create an environment of acceptance**, growth, and well-being, thus recognising children as equal stakeholders in the adoption process.
- The process of adoption needs to be simplified by taking a close relook at the various regulations guiding the procedure of adoption.
 - The ministry can engage with concerned experts working in this field to get feedback on the practical difficulties which prospective parents are facing.

[Source: TH](#)

Chronic Fatigue Syndrome

Why in News?

A petition has been filed in the [Delhi High Court](#) to stop a person, who has been suffering from **Chronic Fatigue Syndrome** since 2014, from travelling to Europe to undergo a physician-assisted [euthanasia](#).

What is Chronic Fatigue Syndrome?

▪ About:

- It is a **serious and debilitating disease** that affects the **nervous system**, the **immune system** and the **body's production of energy**.
- It is also known as **"Myalgic Encephalomyelitis"**.
- Its potential results are **viral or bacterial infection, hormonal imbalances and genetic predispositions**.
- It can **affect anyone**, from children to adults of all ages.

▪ Symptoms:

- Significantly **lowered ability to do activities** that were performed before the illness.
- **At least 6 months (or longer) of debilitating fatigue** that is more severe than everyday feelings of tiredness.
- Most recognizable symptom is **Post-Exertional Malaise (PEM)**.
 - A **"crash"** in physical/mental energy following even minor activities like grocery shopping or brushing teeth.
- **Other Symptoms:**
 - Trouble sleeping, difficulty in thinking, memory retention and concentration, dizziness/light-headedness, headaches, muscle pain, joint ache, flu-like symptoms, tender lymph nodes and digestive issues.

▪ Treatment:

- There is **no specific test for the disease**, and doctors have to rely on medical examinations, blood and urine tests.
- Doctors have recommended ways to deal with the symptoms of the disease like **"Pacing"** in which patients learn to balance rest and activity to prevent crashes caused by exertion.

What is Euthanasia?

▪ About:

- **Euthanasia** is the practice of **ending the life of a patient** to limit the patient's suffering. The patient in question would typically be terminally ill or experiencing great pain and suffering.

▪ Types:

- **Active euthanasia:**
 - Killing a patient by active means, for example, injecting a patient with a lethal dose of a drug. Sometimes called "aggressive" euthanasia.
- **Passive euthanasia:**
 - Intentionally letting a patient die by withholding artificial life support.
- **Voluntary euthanasia:**
 - With the consent of the patient.
- **Involuntary euthanasia:**
 - Without the consent of the patient, for example, if the patient is unconscious and his or her wishes are unknown.

▪ Legal Provisions in India:

- In 1994, the **Supreme Court of India** in **Gian Kaur vs State of Punjab** had held that **both assisted suicide and euthanasia were unlawful**.
 - The bench stated that **the right to life did not include the right to die**, hence **overruling the two-judge bench decision in P. Rathinam vs Union of India which struck down section 309 of Indian Penal Code** (attempt to suicide) as **unconstitutional**.
- In 2011, the Supreme Court in **Aruna Ramchandra Shanbaug vs Union of India** held that **passive euthanasia could be given a nod in case of exceptional circumstances and under strict monitoring of the apex court**.
- In 2018, the Supreme Court declared **the right to die with dignity as a fundamental right**, **allowing passive euthanasia** in the country.

Source: IE

New Addition to the Ramsar Sites List

Why in News?

Recently, India has **added 11 more Ramsar sites**, or wetlands that are of international importance, **taking the number of such sites to 75.**

- Tamil Nadu has maximum no. of Ramsar sites (14), followed by UP which has 10 nos. of Ramsar sites.

What is Ramsar Site?

- **About:**
 - A Ramsar site is a **wetland of international importance** under the **Ramsar Convention**, which is also known as the **'Convention on Wetlands'** — an intergovernmental environmental treaty established by **United Nations Educational, Scientific and Cultural Organization (UNESCO)** in **1971**, and named after the city of Ramsar in Iran, where the convention was signed that year.
- Earlier, **India designated 10 new wetlands of international importance:**
 - Koonthankulam Bird Sanctuary, Gulf of Mannar Marine Biosphere Reserve, Vembannur Wetland Complex, Vellode Bird Sanctuary, Vedanthangal Bird Sanctuary, Udhayamarthandapuram Bird Sanctuary, Satkosia Gorge, Nanda Lake, Ranganathittu Bird Sanctuary, Sirpur Wetland.

Which New Sites have been added?		
Name	States	Specifications
Tampara Lake	Odisha	<ul style="list-style-type: none">▪ It is among the most prominent freshwater lakes in Odisha, situated in Ganjam district.▪ The wetland is an important habitat for vulnerable species such as

		<p>Cyprinus carpio, common pond fish (Cyprinus carpio), and river tern (Sterna aurantia).</p>
Hirakud Reservoir	Odisha	<ul style="list-style-type: none"> ▪ It is the largest earthen dam in Odisha started operating in 1957. ▪ Out of the known 54 species of fish from the reservoir, one has been classified as being endangered, six near threatened and 21 fish species of economic importance.

- It also provides important **hydrological services** by moderating floods in the **Mahanadi delta**, the ecological and socio-economic hub of the east coast of India.

Ansupa Lake

Odisha

- It is the **largest freshwater lake of Odisha** situated in Banki sub-division of Cuttack district.
- The wetland is an **oxbow lake** formed by **River Mahanadi**.
- It prov

		<p>ides a safe habita t to:</p> <ul style="list-style-type: none"> o o
Yashwant Sagar	Madhya Pradesh	<ul style="list-style-type: none"> ▪ Yashwant Sagar is one of the two Important Bird Areas (IBA) in the Indore region as well as one of the most important birding sites in Malwa region of Madhya Pradesh. ▪ It is considered to be a stronghold of the vulnerable Sarus

		<p>Crane in central India.</p> <ul style="list-style-type: none"> Due to its vast shallow reed beds, the wetland is considered heaven to a large number of winter migratory birds.
Chitrangudi Bird Sanctuary	Tamil Nadu	<ul style="list-style-type: none"> Locally, it is known as "Chitrangudi Kamoli". The wetland has been a protected area since 1989 and declared as Bird Sanctuary, coming under the jurisdiction of Tamil Nadu.

		<p>Forest Department, Ramanathapuram division.</p> <ul style="list-style-type: none"> ▪ It is an ideal habitat for winter migratory birds. Around 50 birds belonging to 30 families have been reported from the site. ▪ Notable waterbirds spotted from the site area include: <ul style="list-style-type: none"> ◦
<p>Suchindram Theroor Wetland Complex</p>	<p>Tamil Nadu</p>	<ul style="list-style-type: none"> ▪ Suchindram Theroor Wetland complex is part of the Suchindram-Theroor

		<p>Manakudi Conservation Reserve</p> <ul style="list-style-type: none"> ▪ It is declared an Important Bird Area (IBA) and lies at the southern tip of the Central Asian flyway of migratory birds. ▪ Copper plate inscriptions from the 9th century mention Pasumkulam, Venchikulam, Nedumarthukulam, Perumkulam, Elamchikulam and Konadunkulam.
<p>Vaduvur Bird Sanctuary</p>	<p>Tamil Nadu</p>	<ul style="list-style-type: none"> ▪ It is a large

human-made irrigation tank and shelter for migratory birds as it provides a suitable environment for food, shelter, and breeding ground.

- **Indian Pond Heron** *Ard eola grayii* occurred in most of the surveyed tanks.
- Large concentrations of wintering waterfowl such as **Eurasian Wigeon** *Anas penelope*, **Northern Pintail**

		<p>Anas acuta, Garganey Anas querquedula were recorded in tanks.</p>
Kanjirankulam Bird Sanctuary	Tamil Nadu	<ul style="list-style-type: none"> ▪ It is notable as a nesting site for several migratory heron species that roost in the prominent growth of babul trees. ▪ The breeding population of migratory waterbirds arrive here between October and February and include: painted stork, white ibis,

		<p>black ibis, little egret , great egret</p> <ul style="list-style-type: none"> ▪ The site qualifies as an Important Bird and Biodiversity Area IBA as the threatened Spot-billed Pelican Pelicanus philippensis breeds here. ▪ The wetland exhibits rich biodiversity including many globally near-threatened species including: <ul style="list-style-type: none"> ◦
Thane Creek	Maharashtra	<ul style="list-style-type: none"> ▪ It has been

		<p>declared as Thane Creek Flamingo Sanctuary.</p> <ul style="list-style-type: none"> Thane creek is fringed by mangroves on both banks & comprises around 20% of the total Indian mangrove species. The area is an important part of the wetland complex of the Central Asian Flyway of the birds and has been categorized as an Important Bird Area (IBA).
Hygam Wetland Conservation	Jammu and Kashmir	<ul style="list-style-type: none"> It serves

<p>Reserve</p>		<p>as an abode to many residents and migratory birds species.</p> <ul style="list-style-type: none"> ▪ It is also recognized as an Important Bird Area (IBA). ▪ It provides a plethora of ecosystem services including <ul style="list-style-type: none"> ◦
<p>Shalbugh Wetland Conservation Reserve</p>	<p>Jammu and Kashmir</p>	<ul style="list-style-type: none"> ▪ The area has extensive reedbeds of Phragmites communis and Typha angustata, and rich growth of Nymphaea can

		<p>did and N. stellat a on open water.</p> <ul style="list-style-type: none">▪ It serves as an abode to more than four lakh r esiden t and migrat ory birds of at least 21 spe cies.
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UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. If a wetland of international importance is brought under the 'Montreux Record', what does it imply? (2014)

(a) Changes in ecological character have occurred, are occurring or are likely to occur in the wetland as a result of human interference.

(b) The country in which the wetland is located should enact a law to prohibit any human activity within five kilometres from the edge of the wetland.

(c) The survival of the wetland depends on the cultural practices and traditions of certain communities living in its vicinity and therefore the cultural diversity therein should not be destroyed.

(d) It is given the status of 'World Heritage Site.'

Ans: (a)

Exp:

- The Montreux Record is a register of wetland sites on the List of Wetlands of International Importance where changes in ecological character have occurred, are occurring, or are likely to occur as a result of technological developments, pollution or other human interferences. It is maintained as part of the Ramsar List.
- The Convention on Wetlands, called the Ramsar Convention, is an intergovernmental treaty that provides the framework for the conservation and wise use of wetlands and their resources. The Convention was adopted in the Iranian city of Ramsar in 1971 and came into force in 1975.

Mains

Q. What is wetland? Explain the Ramsar concept of 'wise use' in the context of wetland conservation. Cite two examples of Ramsar sites from India. (2018)

Advanced Towed Artillery Gun System (ATAGS)

Why in News?

On **Independence Day**, ATAG, an indigenously developed howitzer, became part of a 21-gun salute at the Red Fort.

What do we Know about the ATAGS?

▪ About:

- The ATAGS is an **indigenous 155 mm x 52 calibre howitzer gun**.
 - Howitzers is an umbrella term for a category of long-range artillery guns.
- It is developed by the [Defence Research and Development Organisation \(DRDO\)](#) with its Pune-based facility Armament Research and Development Establishment (ARDE) being the nodal agency.
- The ATAGS project was **started in 2013 by DRDO** to replace older guns in service in the Indian Army with a modern 155 mm artillery gun.

▪ Features:

- The armament system of ATAGS mainly **comprises barrel, breech mechanism, muzzle brake and recoil mechanism** to fire 155 mm calibre ammunition held by Army with a longer range, accuracy and precision and provides greater firepower.
- The **ATAGS is configured with all electric drive** to ensure maintenance free and reliable operation over a longer period of time.
- It has **advanced features in terms of high mobility, quick deployability**, auxiliary power mode, advanced communication system, automatic command and control system with night firing capability in the direct fire mode.
- The specialised gun system is **compatible with C4I (command, control, communications, computers, and intelligence) systems** like the Artillery Combat Command and Control System (ACCCS) called Shakti for technical fire control, fire planning, deployment management, and operational logistics management of the Army.

▪ Future Role:

- The **development process of ATAGS by the DRDO coincides with development of Howitzer Dhanush** for Advanced Weapons and Equipment India of the erstwhile

Ordnance Factory Board.

- In 2019, the Army and the Ministry of Defence gave bulk production clearance to produce 114 Dhanush.
- In the coming days, ATAGS and **Dhanush** will successfully replace older artillery systems.

Source: IE

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