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POLITY AND GOVERNANCE

OFFICE OF THE GOVERNOR

WHY IN THE NEWS?

Recently, there has been friction between the Governor and the State Governments of several States.

BACKGROUND

Recently, the Governor of Tamil Nadu has chosen to 'withhold' assent for specific Bills approved by the Tamil Nadu Legislative Assembly. This decision comes in the wake of the Supreme Court expressing 'serious concern' over the Governor's lack of action regarding Bills submitted for his approval.

This is not an isolated incident. Earlier, In February 2023, the Governor of Kerala approved and enacted into law five bills that were endorsed by the Assembly. However, the Governor chose to withhold assent for the remaining six bills, which encompassed legislative proposals such as the Kerala Lokayukta (Amendment) Bill and the Kerala University (Amendment) Bill.

CONSTITUTIONAL PROVISIONS GOVERNING THE OFFICE OF GOVERNOR

ESTABLISHMENT OF THE OFFICE:

- Article 153 mandates the appointment of a Governor for each State, allowing one individual to serve as Governor for multiple States.

APPOINTMENT:

- The President appoints the Governor, who serves as a nominee of the Central Government.

DUAL ROLE OF THE GOVERNOR:

- The Governor functions as the constitutional head of the state, obligated to follow the advice of the council of ministers (CoM).
- Acts as a crucial link between the Union Gov-

ernment and the State Government.

ELIGIBILITY CRITERIA:

- Articles 157 and 158 outline the eligibility requirements for individuals seeking the position of Governor.

PARDONING POWERS:

- Article 161 grants the Governor the authority to grant pardons, reprieves, and similar powers.

COUNCIL OF MINISTERS' ROLE:

- Article 163 of the Indian Constitution establishes a Council of Ministers, headed by the Chief Minister, to assist and advise the Governor in performing their functions.
- While the Governor is generally bound by the advice of the Council of Ministers, certain conditions allow for the exercise of discretion.
- The Governor holds discretionary powers in specific scenarios, including:
 - Appointment of Chief Minister: When no party secures a clear majority in the state legislative assembly.
 - No-Confidence Motions: During times of no-confidence motions.
 - Constitutional Machinery Failure: In the event of the failure of constitutional machinery in the State, as outlined in Article 356.

APPOINTMENT OF CHIEF MINISTER AND MINISTERS:

- The Governor appoints the Chief Minister and other Ministers, as outlined in Article 164.

LEGISLATIVE FUNCTIONS:

- Article 200:** Article 200 of the Indian Constitution delineates the procedure for a Bill, having been passed by a State Legislative Assembly, to

be presented to the Governor for various courses of action.

GOVERNOR'S OPTIONS:

- The Governor, upon receiving a Bill, is empowered to either assent to it, withhold assent, or reserve it for the President's consideration.
- Additionally, the Governor has the authority to return the Bill to the Legislative Assembly with a message requesting reconsideration by the House or Houses.
- The Supreme Court's decision in the Purushothaman Nambudiri case clarified that a bill pending the Governor's assent does not lapse upon the dissolution of the House.
- The absence of a time limit in Articles 200 and 201 indicates the framers' intention to safeguard bills awaiting the Governor's assent from lapsing.
- The second provision of Article 200 allows the Governor discretion to refer a bill to the President if there are concerns about its potential infringement upon the powers of the High Court.
- The procedure for obtaining presidential assent for a referred bill is detailed in Article 201.
- In the Shamsher Singh case, the Court established that the Governor's power to reserve bills for the President's consideration constitutes an instance of discretionary authority.

ORDINANCE PROMULGATION AUTHORITY:

- Under certain circumstances, the Governor may promulgate ordinances, as specified in Article 213.

CONTROVERSIES SURROUNDING THE ROLE OF GOVERNORS

ABUSE OF POWER BY THE CENTRE:

- Instances abound where the Governor's position is exploited, often influenced by the ruling party at the Centre.
- The appointment process is frequently the root cause of such abuses.

BIASED IDEOLOGY IN APPOINTMENTS:

- Politicians and former bureaucrats with specific political affiliations are appointed as Governors by the central government.
- This contradicts the constitutionally mandated neutral stance, leading to perceived bias, as evident in instances in Karnataka and Goa.

CHARGES OF PUPPET RULERSHIP:

- The Governor of Rajasthan faces charges of violating the model code of conduct, aligning with the central ruling party.
- This contradicts the expectation of non-partisanship from individuals holding constitutional positions.
- Negative terms like "agent of the Centre," "puppet," and "rubber stamps" are used to describe such Governors.

FAVORITISM TOWARDS A POLITICAL PARTY:

- The discretionary powers of Governors to invite the leader of the largest party/alliance post-election are often misused to favor a specific political party.

MISUSE OF POWER IN RECOMMENDING PRESIDENT'S RULE:

- Governors' recommendations for President's Rule (Article 356) in a state are not always grounded in 'objective material' but rather on political whims or fancies.

RECOMMENDATIONS ON APPOINTMENT AND REMOVAL OF GOVERNOR

IMPEACHMENT PROVISION:

- The "Punchhi Commission – 2010" proposed the inclusion of a provision for the impeachment of the governor by the state legislature.
- The commission Advocated that the state chief minister should play a role in the appointment of the governor.

RECOMMENDATIONS ON THE USE OF ARTICLE 356

- The “Punchhi Commission – 2010” suggested amendments to Articles 355 & 356.
- The Sarkaria Commission (1988) recommended the rare application of Article 356, emphasizing its use only in unavoidable situations to restore the breakdown of constitutional machinery.
- Additional recommendations on Article 356 were put forth by the Administrative Reforms

Commission (1968), Rajamannar Committee (1971), and Justice V. Chelliah Commission (2002).

RECOMMENDATIONS ON DISMISSAL OF STATE GOVERNMENT UNDER ARTICLE 356

S.R. BOMMAI JUDGMENT (1994):

- The S.R. Bommai Judgment of 1994 brought an end to arbitrary dismissal of State governments

GOVERNOR AND PRESIDENT

Similarities		Differences		
Point of Similarity	Characteristics	Point of Difference	President	Governor
Head	<ul style="list-style-type: none"> Both are nominal executive heads (constitutional/ titular heads) at their level 	Election	Indirectly elected	Appointed by President
Promulgating Ordinances	<ul style="list-style-type: none"> Both are empowered (under Article 123/213 - President/Governor) 	Pleasure Doctrine	No concept of Pleasure doctrine	Serves at the Pleasure of the President
Civil and Criminal Proceedings	<ul style="list-style-type: none"> Both are immune from any criminal proceedings during tenure; cannot be arrested or imprisoned Civil proceedings can be instituted after giving a 2-months' notice 	Declaring Scheduled Area	Can declare any area as scheduled area	Role is limited to consultation
Re-appointment/Re-election	<ul style="list-style-type: none"> Both are eligible for reappointment/re-election to the same office 	Amending Constitution	His assent to the bill is required	No role in a Constitutional Amendment Bill
Appointing Officers	<ul style="list-style-type: none"> What President appoints at National level, Governor appoints at state level (members of Public Service Commission, Judges of courts, Election Commissioners etc.) 	Pardoning Power	Can pardon a death sentence/punishment by a court-martial	Can't pardon a death sentence, no role in affairs of military
Role in Legislature	<ul style="list-style-type: none"> Power to summon or prorogue the State/Union Legislature and dissolve the State LA/Lok Sabha 	Constitutional Discretionary Power	No Constitutional Discretion	Constitutional Discretion in reserving a bill , imposition of President's rule & administering an adjoining UT
Financial Powers	<ul style="list-style-type: none"> Constituting Finance Commission at State/Union level 	Condition of Impeachment	Violation of the Constitution	No grounds laid
Situational Discretionary Power	<ul style="list-style-type: none"> Appointing PM/CM (in case of PM/CM's death or when no party has clear majority) Dismissal of Council of Ministers Dissolution of Lok Sabha/ State LA 			

by a hostile Central government.

- Emphasized that the floor of the Assembly should be the sole forum to test the majority of the government, rejecting the subjective opinion of the Governor.

RECOMMENDATIONS ON DISCRETIONARY POWERS

- The Supreme Court, in the Nabam Rebia judgment (2016), established limitations on the exercise of the Governor's discretion outlined in Article 163.
- Stressed that the Governor's choice of action should not be arbitrary or fanciful.

WAY FORWARD:

IMPARTIAL AND EFFICIENT ACTION:

- Emphasize that the Governor's discretion should be exercised judiciously, impartially, and efficiently for the smooth functioning of the government.

STRENGTHENING FEDERALISM

- Advocate for the strengthening of the federal setup in India. Enhance the role and effectiveness of the Inter-State Council to curb the misuse of the governor's office.
- Strengthen the role of the Rajya Sabha as a crucial chamber in upholding federalism and ensuring a balanced power distribution.

REFORMING THE METHOD OF GOVERNOR'S APPOINTMENT

- Reform the method of appointing governors by involving the state legislature.
- Propose the creation of a panel by the state legislature for governor appointments.
- Shift the appointing authority from the central government to the Inter-State Council, ensuring a more decentralized and inclusive process.

IMPLEMENTING A CODE OF CONDUCT FOR GOVERNORS

- Introduce a comprehensive 'Code of Conduct' for Governors, outlining specific norms and principles.
- Provide guidelines for the exercise of the governor's discretion and powers, emphasizing responsible and ethical conduct.

NATIONAL PHARMACY COMMISSION BILL 2023

WHY IN THE NEWS?

The Union Health Ministry has called for feedback from the public and stakeholders regarding the draft National Pharmacy Commission Bill 2023.

ABOUT NATIONAL PHARMACY COMMISSION BILL 2023

The proposed National Pharmacy Commission Bill 2023 is poised to bring significant changes to the regulation of the pharmacy profession in India. Aimed at replacing the Pharmacy Act 1948 and the existing Pharmacy Council of India, the bill focuses on enhancing access to quality pharmacy education and ensuring the availability of skilled professionals across the nation.

OBJECTIVES OF THE BILL:

• Replacement of Existing Legislation:

- The bill aims to replace the Pharmacy Act 1948 and the Pharmacy Council of India with the National Pharmacy Commission.
- The goal is to make better provisions for the regulation of the pharmacy profession and practice.

• Improving Access and Quality:

- The bill seeks to enhance access to affordable, high-quality pharmacy education.
- It aims to ensure the availability of pharmacy professionals nationwide, promoting equitable healthcare.

SALIENT PROVISIONS:

- **Constitution of National Pharmacy Commission:**

- The bill proposes the establishment of a commission headquartered in New Delhi.
- The commission will consist of a Chairperson, 13 ex-officio members, and 14 part-time members.

- **Boards Under the Commission:**

- Three boards will be constituted: Pharmacy Education Board, Pharmacy Assessment and Rating Board, and Pharmacy Ethics and Registration Board.
- These boards will operate under the commission's purview.

- **Regulation of New Institutions:**

- The bill prohibits the establishment of new pharmacy institutions or courses without prior permission from the Pharmacy Assessment and Rating Board.
- Non-compliance may result in actions such as warnings, penalties, or recognition withdrawal.

- **National Pharmacy Register:**

- The Pharmacy Ethics and Registration Board will maintain a National Pharmacy Register for transparency.
- It will contain details of pharmacy professionals.

- **Implementation at State Level:**

- State Governments are mandated to constitute state pharmacy chapters within one year.
- These chapters will exercise powers and duties as laid down under the Act.

FUNCTIONS OF THE NATIONAL PHARMACY COMMISSION:

- **Setting Standards:**

- The commission will set education stan-

dards, facilities, assessments, training, and tuition fees.

- It will establish standards for pharmacy faculty, clinical facilities, and implement a uniform admission mechanism.

- **Regulation and Oversight:**

- The commission will oversee and regulate pharmacy institutions, research activities, professionals, and associates.
- It will ensure the competency of pharmacy professionals through evaluations and licensing procedures.

- **Collaboration and Innovation:**

- The commission is tasked with collaborating with industry and institutions for the use of technology and hybrid education.
- It will focus on driving innovation and research in pharmacy and training professionals with global mobility in mind.

ROLE OF THE GOVERNOR

Why in the news?

Recently, there has been friction between the Governors and the State Governments of several states. This is due to withholding assent to bills passed by state assemblies for several months and years without providing any reason for doing so.

CURRENT CRITICISM OF GOVERNOR'S ROLE

- In 2020, the Tamilnadu Government passed 12 bills, most of which were related to the appointment of a vice-chancellor of the University by the State Government instate of the governor. The Governor kept them on hold or reserved them for pending for more than 3 years. When the Tamilnadu Government reached the Supreme Court regarding the long pending of these bills, the Court asked the Governor to take immediate action. The Governor returned 10 bills and is still holding 2 bills. Just after that,

the Tamilnadu Government called a special session to adopt them again.

- Chief Minister Stalin criticized this act of the governor as unconstitutional, anti-people, and against the sovereignty of the state assembly. It is not an isolated incident. Earlier, in February 2023, the Governor of Kerala approved and enacted into law five bills endorsed by the Assembly. However, the Governor chose to withhold assent for the remaining six bills, which encompassed legislative proposals such as the Kerala Lokayukta (Amendment) Bill and the Kerala University (Amendment) Bill. The governor was accused of delaying the passage of some bills for up to 26 months.
- The Supreme Court expressed displeasure over similar delays by the Governors of Telangana and Punjab. The court has expressed 'serious concern' over inaction by the Governor on Bills presented for his assent

CONSTITUTIONAL PROVISIONS FOR THE OFFICE OF GOVERNOR:

- Article 153 mandates the appointment of a Governor for each state, allowing one individual to serve as Governor for multiple states. The President appoints the Governor, who serves as a nominee of the Central Government.
- The Governor functions as the constitutional head of the state and is obligated to follow the advice of the Council of Ministers (CoM). Article 163 of the Indian Constitution establishes a Council of Ministers, headed by the Chief Minister, to assist and advise the Governor in performing their functions.
- While the Governor is generally bound by the advice of the Council of Ministers, certain conditions allow for the exercise of discretion.

LEGISLATIVE CONSTITUTIONAL PROVISIONS:

Article 200 of the Constitution stipulates that when a Bill, passed by a State Legislature, is presented to the Governor for their assent, they have four alternatives —

- (i) may give assent to the Bill;

- (ii) may return the Bill (if it is not a Money Bill) for reconsideration by the State Legislature; if the Bill is passed again by the House or Houses, with or without amendment, and presented to the Governor for assent, the Governor shall not withhold his assent.
- (iii) may withhold assent to the Bill, rejecting it, in which case the Bill fails to become law;
- (iv) may reserve the Bill for the consideration of the President.

The provision to Article 200, which makes the Governor's assent mandatory for Bills passed a second time, does not apply to Bills for which assent has been 'withheld,' a term that essentially means 'rejected.'

SCOPE OF DISCRETIONARY POWERS OF THE GOVERNOR:

According to the opinion tendered by the Supreme Court of India, the Governor is required to act as per the advice of the Council of Ministers. He does not exercise his discretionary powers while withholding assent or returning a Bill to the State Legislature.

SITUATION OF 'WITHHOLDING ASSENT':

(i) In the case of a Private Members' Bill (any Member of the State Legislature other than a Minister): If such a bill has passed the State Legislature but the council of ministers does not want it to be enacted into law, they would advise the Governor to 'withhold assent.'

This situation rarely occurs because the Council of Ministers enjoys a majority in the Legislative Assembly. If the CoM does not want to pass such a bill, it can easily defeat the passage of a private member's bill.

(ii) In the case of the fall of the government: If the incumbent government, whose Bill has been passed by the legislature, falls or resigns before it is assented to by the Governor, the new council may advise the Governor to 'withhold assent.'

SITUATION FOR RETURNING BILLS:

(i) **On the recommendation of the CoM:** The Governor can return any Bill to the State Legislature for

reconsideration based on the advice of the council of ministers, which wants to amend or improve some of the controversial provisions of the bill. This may occur if the opposition is putting more pressure on the government or mass protests are observed due to the effects of the bill's provisions on a particular section of society.

(ii) For encroachment over constitutional rights: The Governor may also return a bill for reconsideration by the state's assembly if some provisions of the bill are affecting the basic rights of the people. This may also happen when questions arise regarding the legal validity of such acts.

However, Governors in the past have exercised their discretion in returning Bills, like the Tamil Nadu Governor with respect to the Bill prohibiting online gambling. But the Governor shall assent to such a Bill if it is passed again by the State Legislature.

SITUATION FOR RESERVING BILLS:

- The Governor must reserve certain Bills, like those that reduce the powers of the High Court, for the consideration of the President.
- He may also reserve Bills on concurrent lists that are repugnant to a Union law based on ministerial advice.
- It is only under rare circumstances that the Governor may exercise his discretion, where they feel that the provisions of the Bill will contravene the Constitution and therefore should be reserved for the consideration of the President.
- In the Shamsher Singh case, the Court established that the Governor's power to reserve bills for the President's consideration constitutes an instance of discretionary authority.

TIME LIMIT FOR GOVERNOR'S ACTION ON BILLS:

The Constitution does not lay down any time limit within which the Governor is required to make a decision. The absence of a time limit in Articles 200 and 201 indicates the framers' intention to safeguard bills awaiting the Governor's assent from lapsing. The Supreme Court's decision in the Purushothaman Nambudiri case clarified that a bill pending the Governor's assent does not lapse upon

the dissolution of the House.

WHAT WERE THE RECOMMENDATIONS OF DIFFERENT COMMISSIONS?

The Sarkaria Commission (1987) recommended that the Governor must discharge his functions under Article 200 as per the advice of ministers. It is only the reservation of Bills for the consideration of the President, and that too under rare cases of unconstitutionality, that can be implied as a discretionary power of the Governor. It further recommended that the President should dispose of such Bills within a maximum period of six months. In the event of the President 'withholding assent,' the reasons should be communicated to the State Government wherever possible.

The Punchhi Commission (2010) had recommended that the Governor should take a decision with respect to a Bill presented for their assent within a period of six months. However, these recommendations have not been implemented to date.

PRELIMS QUESTIONS

Q2. Ordinance making power of the Governor of the state is related to:

- Article 213
- Article 123
- Article 200
- Article 201

Q2. Regarding the Proposed National Pharmacy Commission Bill 2023 recently seen in the news, consider the following statements:

- The bill aims to replace the Pharmacy Act 1998.
- It aims to ensure the availability of pharmacy professionals nationwide, promoting equitable healthcare.

Which of the statements given above is/are correct?

- 1 only

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

Q3. Regarding the Functions of the National Pharmacy Commission, as recently seen in the news, consider the following:

1. The commission sets education standards, assessments, and implements a uniform admission mechanism.
2. The commission oversees and regulates pharmacy institutions, ensuring competency through evaluations and licensing.

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

Q4.. In which of the following cases is the governor bound to give his assent to a bill passed by the state assembly?

- (a) Money bill
- (b) Private member's bill
- (c) Prime minister has resigned from his office
- (d) Bill is again passed by the House or Houses with or without amendment
- (e) State assembly has passed a unanimous resolution in support of the pending bill

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2, 4, and 5 only
- (c) 1 and 4 only
- (d) 1, 3, 4, and 5 only

ANSWERS

S. No.	Answers
1.	A
2.	B
3.	C
4.	C

MAINS QUESTION

Q1. In the context of a democratic system, critically analyze the role of Governors in states. Discuss the constitutional provisions defining their powers and responsibilities and examine instances where Governors' actions have been contentious

Q2. Evaluate the potential impact of the proposed National Pharmacy Commission Bill 2023 on the regulation and accessibility of pharmacy education and professionals in India.

Q3. Critically analyse the constitutional control over pending bills passed by state assemblies awaiting the governor's assent and explore the discretionary role of governors in the states.

ECONOMY

PM KISAN SCHEME

WHY IN THE NEWS?

Recently, the Prime Minister disbursed the 15th installment of the Pradhan Mantri Kisan Samman Nidhi (PM-KISAN) scheme.

INTRODUCTION:

Launched on 24th February 2019, the Pradhan Mantri Kisan Samman Nidhi (PM Kisan) initiative is aimed at providing crucial financial support to land-holding farmers in India.

FINANCIAL BENEFITS:

- Farmers receive a financial benefit of Rs 6000 per year.
- The amount is disbursed in three equal installments every four months.
- Direct Benefit Transfer (DBT) mode is employed for seamless fund transfer directly into the bank accounts of farmers' families.

SCOPE OF THE SCHEME:

Initially designed for Small and Marginal Farmers (SMFs) with landholdings up to 2 hectares, the scheme underwent an expansion to include all landholding farmers.

FUNDING AND IMPLEMENTATION:

- PM Kisan is a Central Sector Scheme, receiving 100% funding from the Government of India.
- The Ministry of Agriculture and Farmers Welfare is responsible for the effective implementation of the scheme.

OBJECTIVE:

The primary objective of PM Kisan is to address the

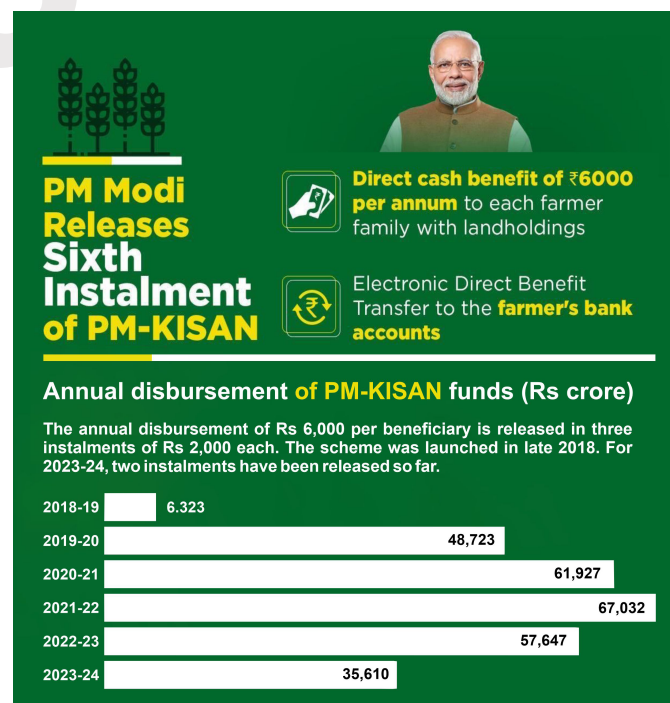
financial needs of farmers, ensuring direct financial support to enhance their agricultural activities and overall livelihood.

IMPLEMENTATION PROCESS:

- The scheme utilizes a Direct Benefit Transfer (DBT) mode for the efficient and transparent transfer of funds.
- Financial assistance is disbursed in three equal installments, benefiting farmers at regular intervals.

EXCLUSIONS IN PM KISAN SCHEME:

- **Income Tax-Paying Farmers:** Those liable to pay income tax are excluded.
- **Government Employees:** Individuals employed in government services are ineligible.
- **Professionals like Doctors:** Non-agricultural professionals, including doctors, are excluded.



NEED FOR PM KISAN:

- **Access to Institutional Credit:** Over 60% of marginal farmers rely on informal credit sources

due to the lack of access to institutional credit.

- **Effectiveness Over Debt Waiver:** Unlike debt waiver schemes, input support schemes maintain credit culture.
- **Crop Neutrality:** PM KISAN is crop-neutral, unlike Minimum Support Price (MSP) mechanisms that favor certain crops.
- **WTO Subsidy Limit:** Income support schemes like PM KISAN do not breach WTO subsidy limits, avoiding trade-related complications.
- **Better Price Realization:** Aims to improve farmers' income by reducing dependence on local traders and commission agents.

LIMITATIONS AND CHALLENGES:

- **Insufficient Support:** The financial assistance provided may not cover the actual input costs incurred by farmers.
- **Beneficiary Identification:** Challenges in identifying beneficiaries due to inadequate digitalization of land records.
- **Exclusion of Tenants and Sharecroppers:** The scheme does not cover tenants and sharecroppers, limiting its impact.
- **Inefficient Disbursement:** Banks sometimes adjust deposits against past liabilities, impacting the effective distribution of funds.
- **Misuse of Funds:** Instances of farmers using the credited money for unintended purposes, such as alcohol consumption.

WAY FORWARD:

- **Digitalization of Land Records:** Improve beneficiary identification and avoid exclusion errors.
- **Implement Model Tenancy Act:** Formalize land tenancy to include tenants in the scheme.
- **In-Kind Support:** Consider providing input support in the form of resources rather than cash.
- **Infrastructure Development:** Enhance agricultural infrastructure, implement marketing reforms, and provide comprehensive agricultural

insurance.

- **Improve Input Use Efficiency:** Incorporate technologies like micro-irrigation and neem coating of urea to reduce input costs.

In conclusion, while PM KISAN addresses certain challenges in the agricultural sector, a holistic approach involving technological, infrastructural, and policy measures is essential for sustainable and comprehensive agricultural development.

PRELIMS QUESTION

Q.1 With reference to the PM Kisan Scheme, consider the following statements:

1. It is a Central Sector scheme Farmers receive Rs 6000 per year.
2. The scheme is exclusively for Small and Marginal Farmers.
3. Direct Benefit Transfer (DBT) mode is used for fund transfer.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
(b) 2 and 3 only
(c) 1, 2, and 3
(d) 1 and 3 only

ANSWERS

S. No.	Answers
1.	D

MAINS QUESTIONS

Q.2 Examine the significance and impact of the Pradhan Mantri Kisan Samman Nidhi (PM Kisan) Scheme on the agricultural sector and the livelihoods of farmers in India. Also, discuss any potential areas of improvement for the effective implementation of the Scheme.

ECOLOGY AND ENVIRONMENT

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

WHY IN THE NEWS?

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has taken a positive step towards assisting red sandalwood-growing farmers in India to enhance their export potential. India has been removed from the Review of Significant Trade (RST) for Red Sanders, a list previously designated due to the reporting of numerous instances of red sandalwood smuggling in the past. This removal signals a potential boost for farmers, opening opportunities for increased earnings through export activities.

ABOUT CITES:

- CITES, established in 1973 and enacted in 1975, is a pivotal international agreement among governments.
- Its primary goal is to prevent international trade from jeopardizing the survival of wild animals and plants.

MEMBERSHIP AND REGULATION:

- CITES boasts 184 member parties, overseeing the trade of over 38,000 species globally.
- While legally binding on member nations, CITES doesn't replace national laws; instead, it complements them.

CATEGORIZATION OF PROTECTED SPECIES:

- Species are categorized into three appendices, each offering varying levels of protection.
- Appendix I: Includes species on the brink of extinction, prohibiting commercial trade.
- Appendix II: Covers species not currently endangered but subject to potential threats, al-

lowing regulated trade with permits.

- Appendix III: Features species for which a country seeks assistance in controlling international trade; trade is regulated through permits and certificates.

CITES CONFERENCE OF THE PARTIES (COP):

- Representatives convene every two to three years to assess progress and adjust lists of protected species.
- COP discussions guide international conservation efforts and trade regulations.

ADMINISTRATION AND LOCATION:

- The CITES Secretariat is administered by the United Nations Environment Programme (UNEP).
- Headquartered in Geneva, Switzerland, it serves as a hub for coordinating global conservation initiatives.

LAW ENFORCEMENT COLLABORATION:

- CITES facilitates collaboration among law enforcement officers from wildlife authorities, national parks, customs, and police agencies.
- Joint efforts aim to combat wildlife crime, particularly targeting iconic species like elephants and rhinos.

APPENDIX III AND DOMESTIC REGULATIONS:

- Countries can list species under their domestic regulations in Appendix III at any time.
- Trade in Appendix III species is regulated through CITES export permits and certificates of origin, issued by relevant countries.

RED SANDERS (RED SANDALWOOD):

SPECIES PROFILE:

- Scientific Name: *Pterocarpus santalinus*.

- Indigenous to India, Red Sanders is an endemic tree species.
- Geographical Range: Primarily confined to the Eastern Ghats, specifically within distinct forests in Andhra Pradesh.

CONSERVATION STATUS:

- The International Union for Conservation of Nature (IUCN) classifies Red Sanders as 'Endangered' on its Red List.
- The IUCN Red List serves as a comprehensive inventory, categorizing flora and fauna based on their conservation status.

IUCN RED LIST CATEGORIES:

- The IUCN Red List classifies species on a spectrum from 'least concern' (abundant) to 'extinct' (completely vanished).
- Red Sanders falls under the 'Endangered' category, indicating a threatened status within the IUCN classification.

UTILIZATION AND DEMAND:

- Red Sanders is renowned for its vibrant hue and therapeutic properties.
- High demand prevails in Asia, notably in China and Japan.
- Utilized for cosmetics, medicinal products, furniture, woodcraft, and musical instruments.

PRELIMS QUESTION

Q1. Regarding the Red Sanders (Red Sandalwood) recently seen in the news, consider the following statements:

1. Red Sanders, scientifically known as *Pterocarpus santalinus*, is primarily found in the Western Ghats region of India.
2. The International Union for Conservation of Nature (IUCN) classifies Red Sanders as 'Least Concern' on its Red List.

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

Q2. Regarding the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), consider the following statements:

1. CITES was established in 1975 with the primary goal of promoting international trade in wild animals and plants.
2. The CITES Secretariat, administered by the United Nations Environment Programme (UNEP), is located in Vienna, Austria.

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

ANSWERS

S. No.	Answers
1.	D
2.	D

SOCIAL JUSTICE

STATE-WISE DISPARITIES IN MGN-REGA SOCIAL AUDITS

WHY IN THE NEWS?

Kerala stands out as the sole state across the nation to have successfully conducted a social audit for all village panchayats under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS).

OVERVIEW OF STATE PERFORMANCE IN MGNREGA SOCIAL AUDITS

- **Top Performers:** Kerala leads the way as the only state to achieve 100% coverage of gram panchayats in MGNREGA social audits. Following closely are Bihar (64.4%), Gujarat (58.8%), Jammu and Kashmir (64.1%), Odisha (60.42%), and Uttar Pradesh (54.97%).
- **Moderate Achievers:** Telangana (40.5%), Himachal Pradesh (45.32%), and Andhra Pradesh (49.7%) have covered 40% or more villages in social audits, representing moderate success in the implementation of MGNREGA.
- **Lagging Behind:** Madhya Pradesh (1.73%), Mizoram (17.5%), Chhattisgarh (25.06%), and Rajasthan (34.74%) are states with lower percentages, indicating a need for improvement in MGNREGA social audit coverage.

UNDERSTANDING SOCIAL AUDIT IN THE CONTEXT OF MGNREGA

- **Definition and Purpose:** Social audit is a process for measuring, understanding, reporting, and improving an organization's social and ethical performance. It serves as a vital instrument for assessing the social accountability of an organization.
- **Role in Development Programs:** Social audits enable end-users to scrutinize the impact

of developmental programs, bridging gaps between vision/goal and reality, and between efficiency and effectiveness.

- **Significance Post 73rd Amendment:** The concept of social audit gained significance after the 73rd Amendment of the Constitution, emphasizing the role of local self-governance.

MGNREGA AND SOCIAL AUDIT INTEGRATION

- **Legislative Framework:** Section 17 of the MGNREGA Act mandates the gram sabha to monitor the execution of works, with social audits playing a central role in ensuring continuous public vigilance.
- **Social Audit Units:** Each state establishes independent social audit units, separate from implementing authorities. These units are entitled to funds equivalent to 0.5% of the MGNREGA expenditure incurred by the state in the previous year.
- **Audit Standards:** The Comptroller and Auditor General set auditing standards, including quality checks of infrastructure, preventing financial misappropriation, and ensuring adherence to procedures.
- **Frequency and Scope:** Social audits are to be conducted in every Gram Panchayat at least once in six months, encompassing a comprehensive review of all aspects of MGNREGA implementation.
- **Outsourcing and Independence:** Rule 4 of Audit of Schemes Rules, 2011, mandates states to establish an independent organization, the Social Audit Unit (SAU), ensuring autonomy and preventing conflicts of interest. Outsourcing to NGOs with relevant experience is encouraged.

In conclusion, understanding the state-wise variations and the integration of social audits in MGNREGA provides valuable insights into the effectiveness and challenges of this crucial social welfare

program.

PRELIMS QUESTIONS

Q1. WITH REFERENCE TO SOCIAL AUDIT, CONSIDER THE FOLLOWING:

1. The Process Of Social Audit Is Aimed At Measuring And Improving An Organization's Social And Ethical Performance.
2. Social Audits Play A Crucial Role In Allowing End-Users To Assess The Impact Of Developmental Programs And Addressing Gaps In Efficiency And Effectiveness.

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

Q2. With Reference To States Performance In Mgn-rega Social Audits, Consider The Following:

1. The State Of Kerala Is The Only One To Achieve 100% Coverage Of Gram Panchayats In Mgnrega Social Audits.
2. Madhya Pradesh, Mizoram Are Among The Top Performing States

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

ANSWERS

S. No.	Answers
1.	C

2.

A

Q1. Discuss the role and significance of social audits in the effective implementation of government welfare schemes, with a focus on its impact on accountability, transparency, and bridging the gap between policy objectives and ground-level outcomes.