

TABLE OF CONTENT

A. [GS1 Related](#)

B. [GS2 Related](#)

Polity

1. [Vande Mataram must be sung in all educational institutions once a week: Madras High Court](#)
2. [Admiralty Bill gets Rajya Sabha nod](#)
3. [Meet on island development](#)
4. [What's brewing in Darjeeling](#)

C. [GS3 Related](#)

Economics

1. [Taxing times for the States](#)
1. [Finance Ministry introduces bill to replace Banking Regulation Ordinance](#)

D. [GS4 Related](#)

E. [Concepts-in-News: Related Concepts to Revise/Learn](#)

F. [Bills/Acts/Schemes/Orgs in News](#)

G. [UPSC Prelims Practice Questions](#)

H. [UPSC Mains Practice Questions](#)

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B. GS2 Related

Category: **POLITY**

1. [Vande Mataram must be sung in all educational institutions once a week: Madras High Court](#)

In news:

- The Madras High Court on Tuesday ordered that "Vande Mataram" must be played and sung in all schools, colleges and universities at least once a week, preferably on Monday or Friday
- Vande Matharam should be played and sung in all government offices and institutions, private companies, factories and industries at least once a month, Madras High Court has ordered
- A person who has difficulty in singing the national song will not be compelled or forced to sing it provided there are valid reasons.

Basic Information

National Song

- The song Vande Mataram, composed in Sanskrit by Bankimchandra Chatterjee, was a source of inspiration to the people in their struggle for freedom. It has an equal status with Jana-gana-mana. The first political occasion when it was sung was the 1896 session of the Indian National Congress.

Prevention of Insults to National Honour Act, 1971

- This act is applicable in whole of India (including Jammu & Kashmir) and it prohibits the desecration of or insult to the National Flag, Constitution, National Anthem, India's Map etc.
- **Provisions Regarding National Flag and Constitution:** This act makes provision that whoever burns, mutilates, destroys, disfigures or otherwise shows disrespect to India's National Flag or Constitution shall be punished with an imprisonment (max-3 years) or a fine or both. The definition of Indian Flag included any picture, drawing, photograph or any other visible representation.
- **How the above provisions are related to Flag Code of India 2002?** Display of National Flag is governed by the provisions of two acts viz. Emblems and Names (Prevention of Improper Use) Act, 1950 and Prevention of Insults to National Honour Act, 1971. Further, the government also issues non-statutory instructions from time to time. The Flag Code of India brings these laws, conventions and other instructions together and serves as a single reference point about how to properly hoist flag of India with due honour. The Flag Code of India itself is not an act of parliament.
How provisions of IPC are related to disrespect to National Anthem? Disrespect to national insignia has been linked to Section 124(A) of IPC, which refers to sedition. This section was slapped on few people in Kerala who failed to stand while National Anthem was being played in a theatre. Similarly, a youth was arrested under Section 66-A of the IT Act in 2014 {this section is now null and void} for posting a picture of National Flag with a derogatory comment on it on Facebook.
- **Provisions Regarding National Anthem:** The section 3 of the Prevention of Insults to National Honour Act says that whoever intentionally prevents the singing of National Anthem or causes any disturbance in such singing shall

be punished with imprisonment (max 3 years) or a fine or both.

2. [Admiralty Bill gets Rajya Sabha nod](#)

In news

Two Bills were passed by Rajya Sabha

1. On jurisdiction and settlement of maritime claims
2. The Footwear Design and Development Institute

The Admiralty (Jurisdiction and Settlement of Maritime Claims), Bill, 2017

- It was already passed by the Lok Sabha
- The Bill seeks to consolidate the laws relating to admiralty jurisdiction, legal proceedings in connection with vessels, their arrest, detention, sale and other related matters
- Earlier only the High Courts of Bombay, Calcutta and Madras could take up maritime cases
- The Bill extends the power to the High Courts of Karnataka, Kerala, Hyderabad, Orissa and Gujarat, besides any other High Courts as notified by the Centre

The Footwear Design and Development Institute Bill, 2017

- It was already passed by the Lok Sabha
- The bill seeks to establish the institute as an institution of national importance

3. [Meet on island development](#)

In news

Island Development Agency (IDA)

- Its first meeting is held recently
- **Decision:** Ten islands Smith, Ross, Aves, Long and Little Andaman in Andaman & Nicobar and Minicoy, Bangaram, Suheli, Cherium and Tinnakara in Lakshadweep have been **identified for development** in the first phase.
- The IDA was set up on June 1 this year following Prime Minister Narendra Modi's review meeting for the development of islands

4. [What's brewing in Darjeeling](#)

Context

- A resurgent Gorkhaland movement and subsequent state crackdown have infused life with violent uncertainty.

What triggered the issue?

- In May, the West Bengal government announced Bengali as a compulsory language in schools across the State.
- This triggered protests and claims of "linguistic imperialism" in the Darjeeling and Kalimpong districts.
- Chief Minister Mamata Banerjee then decided to hold a Cabinet meeting in Darjeeling for the first time in over 40 years.
- But representatives of the Gorkhaland Territorial Administration (GTA) or the three hill MLAs, were not included, eliciting protests.
- Subsequent protests and crackdowns have led to further destruction and deaths.

Gorkhaland

- The Gorkhaland movement is a long-standing quest for a separate State of Gorkhaland within India for Nepali-speaking Indian citizens (often known as "Gorkhas").
- Gorkhaland is a classic sub-nationalist movement, similar to those that have produced other States like Telangana, Uttarakhand etc.
- Gorkhaland is a desire for the recognition, respect, and integration of Gorkha peoples in the Indian nation-state.
- The movement is neither separatist nor anti-nationalist; it is about inclusion and belonging in India.
- It stands as a key means to redress the Gorkhas' enduring history of discrimination, misconception, and marginalisation in India.
- By demanding Gorkhaland, the people of Darjeeling-Kalimpong are opting out of West Bengal's domination, and opting in to the democratic frameworks of India.

Gorkhas hardships on many fronts

- Gorkhas remain pegged to the lowest levels of employment.
- Outsiders own the tea industry, and profits flow out of the hills.
- Gorkhas face discrimination when they seek education and work in places like Kolkata, Bengaluru, and New Delhi. Called "foreigners", "outsiders" and "chinkys", racial discrimination affects aspiring Gorkhas at every turn.

Reasons for resurgence

- Since 1947, the Darjeeling-Kalimpong region has remained under West Bengal, despite no substantive pre-Partition evidence to support West Bengal's territorial claims to this region.
- Conciliatory set-ups like the Darjeeling Gorkha Hill Council (1988-2012) and the GTA (2012-present) have failed to provide meaningful autonomy.

- Banerjee and others stridently lay claim to Darjeeling, insisting that Bengal will never be divided.
- Imposition of compulsory Bengali is an extension of histories of domination that the Gorkhas are trying to escape.
- West Bengal's recent creation of the Kalimpong district (2017) and the State's doling out of Tribal Development Boards to ethnicities within the Gorkha conglomerate (Tamang, Sherpa, etc.) might appear as paving the way for the TMC's electoral gains.
- These seem clear examples of "divide and rule" causing splits in the Gorkha electorate and undermining the already-limited authority of the GTA.
- By summoning thousands to the streets, the GJM (Gorkha Janmukti Morcha) demonstrated its ability to evoke the emotional force of Gorkhaland. But then violence took hold.
- For Gorkhas, the troubling realities of colonial and present-day Darjeeling are eerily similar: linguistic chauvinism, ethnic and racial discrimination, resource extraction, unilateral territorial claims, the denial of self-governance, political suppression; and ultimately, an unwillingness to respect the "native point of view".

C. GS3 Related

Category: **ECONOMICS**

1. [Taxing times for the States](#)

- **Constitutional scheme regarding Taxation**
- The Central government was given the power to tax income other than agricultural income, and levy indirect taxes in the form of customs and excise duties
- The State governments were given the sole power to tax the sale of goods and the entry of goods into a State
- Why this division:
- This division of fiscal responsibility was made with a view to making States self-sufficient
- And with a view to supplying to regional powers the flexibility needed to govern according to the respective needs of their people

Functions of GST Council

- This council will recommend a number of things
 - the list of taxes that will be subsumed by the GST
 - the goods and services that will be exempt from the levy of tax
 - the rates at which tax shall be levied

Virtual Veto of the Union Government in the GST Council

- The council's decisions will require a three-fourths majority.
- But the Central government's votes will have a weightage of one-third of the total votes cast.
- This gives a virtual veto to the Union Government.

Confusion regarding GST Council

- The newly introduced Article 279A describes Council's decisions as "recommendations" (advisory).
- Due to this advisory recommendations, States can choose to ignore the council's advice, by levying additional tax not only on the sale of goods but also on services and manufacturing.
- On the other hand, if these recommendations are treated as obligatory, we are left with a situation where States would have altogether surrendered their fiscal autonomy to the Central government.

2. [Finance Ministry introduces bill to replace Banking Regulation Ordinance](#)

The Banking Regulation (Amendment) Bill, 2017

- It seeks to amend the Banking Regulation Act, 1949 and replace the Banking Regulation (Amendment) Ordinance, 2017.
- It aims to authorise the RBI to direct banking companies to resolve the problem of stressed assets.

Greater power to RBI

- The measure in the bill allows the RBI to initiate insolvency resolution process on specific stressed assets.
- The RBI would also be empowered to issue other directions for resolution, appoint or approve for appointment, authorities or committees to advise the banking companies for stressed asset resolution.

D. GS4 Related

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E. Concepts-in-News: Related Concepts to Revise/Learn

F. Bills/Acts/Schemes/Orgs in News

| | |
|----------------------|-----------------------|
| Bills in News | About the Bill |
|----------------------|-----------------------|

- The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016 was introduced in Lok Sabha

on November 21, 2016 by the Minister of State for Shipping, Mr. Mansukh Mandaviya. The Bill seeks to consolidate the existing laws on civil matters of admiralty jurisdiction of courts, admiralty proceedings on maritime claims, and arrest of ships. Admiralty laws deal with cases of accidents in navigable waters or involve contracts related to commerce on such waters. The Bill repeals laws such as the Admiralty Court Act, 1861, the Colonial Courts of Admiralty Act, 1890. Key features of the Bill include:

- **Admiralty jurisdiction:** The jurisdiction with respect to maritime claims under the Bill will vest with the respective High Courts and will extend up to the territorial waters of their respective jurisdictions. The central government may extend the jurisdiction of these High Courts. Currently admiralty jurisdiction applies to the Bombay, Calcutta and Madras High Courts. The Bill further extend this to the High Courts of Karnataka, Gujarat, Orissa, Kerala, Hyderabad, and any other High Court notified by the central government.
- **Maritime claims:** The High Courts may exercise jurisdiction on maritime claims arising out of conditions including: (i) disputes regarding ownership of a vessel, (ii) disputes between co-owners of a vessel regarding employment or earnings of the vessel, (iii) mortgage on a vessel, (iv) construction, repair, or conversion of the vessel, (v) disputes arising out of the sale of a vessel, (vi) environmental damage caused by the vessel, etc. The Bill defines a vessel as any ship, boat, or sailing vessel which may or may not be mechanically propelled.
- While determining maritime claims under the specified conditions, the courts may settle any outstanding accounts between parties with regard to the vessel. They may also direct that the vessel or a share of it be sold. With regard to a sale, courts may determine the title to the proceeds of such sale.
- **Priority of maritime claims:** Among all claims in an admiralty proceeding, highest priority will be given to maritime claims, followed by mortgages on the vessel, and all other claims. Within maritime claims, the highest priority will be given to claims for wages due with regard to employment on the vessel. This would be followed by claims with regard to loss of life or personal injury in connection with the operation of the vessel. Such claims will continue to exist even with the change of ownership of the vessel.
- **Jurisdiction over a person:** Courts may exercise admiralty jurisdiction against a person with regard to maritime claims. However, the courts will not entertain complaints against a person in certain cases. These include: (i) damage, or loss of life, or personal injury arising out of collision between vessels that was caused in India, or (ii) non-compliance with the collision regulations of the Merchant Shipping Act, 1958 by a person who does not reside or carry out business in India. Further, Courts will not entertain action against a person until any case against them with regard to the same incident in any court outside India has ended.
- **Arrest of vessel:** The courts may order for the arrest of any vessel within their jurisdiction for providing security against a maritime claim which is the subject of a proceeding. They may do so under various reasons such as: (i) owner of the vessel is liable for the claim, (ii) the claim is based on mortgage of the vessel, and (iii) the claim relates to ownership of the vessel, etc.
- **Appeals:** Any judgments made by a single Judge of the High Court can be appealed against to a Division Bench of the High Court. Further, the Supreme Court may, on application by any party, transfer an admiralty proceeding at any stage from one High Court to any other High Court. The latter High Court will proceed with the matter from the stage where it stood at the time of the transfer.
- **Assessors:** The central government will appoint a list of assessors qualified and experienced in admiralty and maritime matters. The central government will also determine the duties of assessors, and their fee. Typically, assessors assist the judges in determining rates and claims in admiralty proceedings.

About the Scheme

‘Hamari Dharohar’ scheme for preservation of rich heritage and culture of minority communities of India in 2014-15.

- Implemented by: Ministry of Minority Affairs
- 100% central Sector scheme.

Objectives:

- To curate rich heritage of minorities under overall concept of
- Indian Culture.
- Curating iconic exhibitions.
- Preservation of literature/ documents etc.
- Support and promotion of calligraphy etc.
- Research and Development.

Activities to be covered under the scheme : Selective intervention for preservation of heritage and may cover following kinds of projects:

- Curating exhibitions including iconic exhibitions.
- Support and promotion of calligraphy etc.
- Preservation of literature, documents, manuscripts etc.
- Documentation of oral traditions and art forms.
- Support to ethnic museums (not supported under schemes of
- Ministry of Culture or its bodies) for showcasing and preserving heritage of minority communities.
- Support for organizing heritage related seminars/ workshops.
- Fellowship for research in preservation of heritage and development.
- Any other support to individual/ organization in furtherance of cause of protection and promotion of rich

heritage of minority communities.

G. Practice Questions for UPSC Prelims Exam

G. UPSC Mains Practice Questions

GS Paper II

1. Did the Government of India Act, 1935 lay down a federal constitution? Discuss.(Mains 2016)
2. Discuss the possible factors that inhibit India from enacting for its citizens a uniform civil code as provided for in the Directive Principles of State Policy.

GS Paper III

1. The nature of economic growth in India is described as jobless growth. Do you agree with this view? Give arguments in favour of your answer.(Mains 2015)

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