

What is the Citizenship (Amendment) Bill, 2016?

In recent weeks, Assam has seen many protests over the proposed Citizenship (Amendment) Bill, 2016.

The Bill has been termed “Anti-Assam” by BJP’s ally Asom Gana Parishad, and similarly criticised by other regional parties.

And, earlier this month, when the Joint Parliamentary Committee on the Bill visited Assam and Meghalaya to hear from the locals, it did so amid protest voices which said the move would make Assam a “dumping ground for Hindu Bangladeshis”.
What does the Bill aim for?

With The Citizenship (Amendment) Bill, 2016, the government plans to change the definition of illegal migrants. The Bill, introduced in the Lok Sabha on July 15, 2016, seeks to amend the Citizenship Act, 1955 to provide citizenship to illegal migrants, from Afghanistan, Bangladesh and Pakistan, who are of Hindu, Sikh, Buddhist, Jain, Parsi or Christian extraction. However, the Act doesn’t have a provision for Muslim sects like Shias and Ahmediyas who also face persecution in Pakistan.

The Bill also seeks to reduce the requirement of 11 years of continuous stay in the country to six years to obtain citizenship by naturalisation.

When did this idea gain stream?

The BJP had promised to grant citizenship to Hindus persecuted in the neighbouring countries during the 2014 General Election. In the party’s election manifesto, the BJP had promised to welcome Hindu refugees and give shelter to them.
Who are illegal immigrants?

According to the Citizenship Act, 1955, an illegal immigrant is one who enters India without a valid passport or with

forged documents. Or, a person who stays beyond the visa permit.

Why and who all are opposing the Bill in Assam?

BJP's coalition partner Assam Gana Parishad has threatened to cut ties with the party if the Bill is passed. It considers the Bill to work against the cultural and linguistic identity of the indigenous people of the State. NGOs such as The Krishak Mukti Sangram Samiti and students' organisation All Assam Students' Union also have come forward opposing the Bill.

All Opposition parties, including the Congress and the All India United Democratic Front, have opposed the idea of granting citizenship to an individual on the basis of religion. It is also argued that the Bill, if made into an Act, will nullify the updated National Registration of Citizenship (NRC). The process of updating the NRC is currently underway in Assam.

What is NRC?

The National Register of Citizens (NRC) is meant to identify a bona fide citizen. In other words, by the order of the Supreme Court of India, NRC is being currently updated in Assam to detect Bangladeshi nationals who might have entered the State illegally after the midnight of March 24, 1971. The date was decided in the 1985 Assam Accord, which was signed between the then Prime Minister Rajiv Gandhi and the AASU. The NRC was first published after the 1951 Census in the independent India when parts of Assam went to the East Pakistan, now Bangladesh.

The first draft of the updated list was concluded by December 31, 2017. The second draft is yet to be released.

How will the Bill affect the updated NRC list?

While Bill is designed to grant citizenship to non-Muslim refugees persecuted in neighbouring countries, NRC does not distinguish migrants on the basis of religion. It will

consider deporting anyone who has entered the State illegally post-March 24, 1971, irrespective of their religion. Currently there are six detention camps for illegal migrants in Assam but it's still not clear how long the people will be detained in these camps. The process of deportation or duration of detention is not clear as it has not been stated by the government. But if the Bill becomes an Act, the non-Muslims need not go through any such process, meaning this will be clearly discriminating against Muslims identified as undocumented immigrants.

Other than Assam, what are the States likely to be affected?

States sharing borders with Bangladesh, Pakistan and Afghanistan are likely to be affected.

The Meghalaya Democratic Alliance (MDA) government, an ally of the BJP, has opposed the Bill. Calling the bill "dangerous," the Meghalaya government said that they don't agree with the idea of non-Muslims acquiring citizenship after six years of living in the country.

What's the status of the Bill now?

The Bill after been discussed in the Lok Sabha, was referred to a joint select committee in August 2016. The members of the Parliamentary Committee visited Barak Valley, the Bengali-majority area of Assam, and Meghalaya to discuss it with various organisations. They reportedly spoke to about 200 organisations.

Source: xaam.in

Answer booklet of Sachin Gupta AIR-3 (UPSC IAS 2018)

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Source: xaam.in

PUBLIC FINANCE MANAGEMENT SYSTEM

☐ It is a web-based software application developed and implemented by the Office of Controller General of Accounts (CGA). ☐ Its coverage includes Central Sector and Centrally Sponsored Schemes as well as other expenditures including the Finance Commission Grants. ☐ It acts as a financial management platform for government schemes as well

as a payment cum accounting network. It is further integrated with the core banking system and has an interface with 170 Banks across the country including the Reserve Bank of India (RBI).

Advantages

□ Better monitoring of funds and transparency: It establishes a common electronic platform for complete tracking of funds from central government to various agencies by providing real time information on resource availability, flows and actual utilization of funds. □ Better financial management: It has the potential to improve financial management by reducing the float in the financial systems by enabling 'just in time' releases of Funds. It can further reduce Government borrowings with direct impact on interest costs to the Government. □ Adoption of e-governance and good governance: It would also reduce the paper work involved, promote the use of technology in governance and increased accountability of public funds thus promoting good governance. □ Address stalling of funds and red-tapism: It would enable better monitoring and tracking of any unnecessary parked funds by the implementing agencies, minimizing cases of delay and pending payments. Challenges □ Immense groundwork required: Massive preparatory work is required for achieving full PFMS implementation including software/hardware up-gradation, training personnel at every level. □ Skewed nature of ICT infrastructure in richer states also acts as a challenge with regard to less technologically developed states. □ Slow pace of adoption of technology in governance.

Source: xaam.in

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etc.

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- Linkages between development and spread of extremism
- Role of external state and non-state actors in creating challenges to internal security
- Challenges to internal security through communication networks, role of media and social networking sites in internal security challenges, basics of cyber security; money-laundering and its prevention
- Security challenges and their management in border areas; linkages of organized crime with terrorism
- Various Security forces and agencies and their mandate

Source: xaam.in

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Everything you need to know about the National Green Tribunal (NGT)

Background

Most conservationists would have heard of the National Green Tribunal (NGT), and some may have already filed applications before it. This short primer explains how, when and where to approach the NGT, and looks at the fundamental difference between courts and tribunals, and the structure and jurisdiction of the NGT.

The NGT was established on October 18, 2010 under the National Green Tribunal Act 2010, passed by the Central Government. The

stated objective of the Central Government was to provide a specialized forum for effective and speedy disposal of cases pertaining to environment protection, conservation of forests and for seeking compensation for damages caused to people or property due to violation of environmental laws or conditions specified while granting permissions.

Structure

Following the enactment of the said law, the Principal Bench of the NGT has been established in the National Capital – New Delhi, with regional benches in Pune (Western Zone Bench), Bhopal (Central Zone Bench), Chennai (Southern Bench) and Kolkata (Eastern Bench). Each Bench has a specified geographical jurisdiction covering several States in a region. There is also a mechanism for circuit benches. For example, the Southern Zone bench, which is based in Chennai, can decide to have sittings in other places like Bangalore or Hyderabad. [Click here for a copy of the notification](#) specifying jurisdiction of each bench. Provided below is a link to all NGT zonal benches, addresses & contact details.

The Chairperson of the NGT is a retired Judge of the Supreme Court, Head Quartered in Delhi. Other Judicial members are retired Judges of High Courts. Each bench of the NGT will comprise of at least one Judicial Member and one Expert Member. Expert members should have a professional qualification and a minimum of 15 years experience in the field of environment/forest conservation and related subjects.

Powers

The NGT has the power to hear all civil cases relating to environmental issues and questions that are linked to the implementation of laws listed in Schedule I of the NGT Act. These include the following:

1. The Water (Prevention and Control of Pollution) Act, 1974;
2. The Water (Prevention and Control of Pollution) Cess Act, 1977;
3. The Forest (Conservation) Act, 1980;
4. The Air (Prevention and Control of Pollution) Act, 1981;
5. The Environment (Protection) Act, 1986;
6. The Public Liability Insurance Act, 1991;
7. The Biological Diversity Act, 2002.

This means that any violations pertaining only to these laws, or any order / decision taken by the Government under these laws can be challenged before the NGT. Importantly, the NGT has not been vested with powers to hear any matter relating to the Wildlife (Protection) Act, 1972, the Indian Forest Act, 1927 and various laws enacted by States relating to forests, tree preservation etc. Therefore, specific and substantial issues related to these laws cannot be raised before the NGT. You will have to approach the State High Court or the Supreme Court through a Writ Petition (PIL) or file an Original Suit before an appropriate Civil Judge of the taluk where the project that you intend to challenge is located.

Procedure for filing an Application or Appeal

The NGT follows a very simple procedure to file an application seeking compensation for environmental damage or an appeal against an order or decision of the Government. The official language of the NGT is English. [Click here for the prescribed template for filing an Application/Appeal before the NGT.](#)

For every application / appeal where no claim for compensation is involved, a fee of Rs. 1000/- is to be paid. In case where compensation is being claimed, the fee will be one percent of the amount of compensation subject to a minimum of Rs. 1000/-. A claim for Compensation can be made for:

1. Relief/compensation to the victims of pollution and other environmental damage including accidents involving hazardous substances;
2. Restitution of property damaged;
3. Restitution of the environment for such areas as determined by the NGT.

No application for grant of any compensation or relief or restitution of property or environment shall be entertained unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose.

Principles of Justice adopted by NGT

The NGT is not bound by the procedure laid down under the Code of Civil Procedure, 1908, but shall be guided by principles of natural justice. Further, NGT is also not bound by the rules of evidence as enshrined in the Indian Evidence Act, 1872.

Thus, it will be relatively easier (as opposed to approaching a court) for conservation groups to present facts and issues before the NGT, including pointing out technical flaws in a project, or proposing alternatives that could minimize environmental damage but which have not been considered. While passing Orders/decisions/awards, the NGT will apply the principles of sustainable development, the precautionary principle and the polluter pays principles. However, it must be noted that if the NGT holds that a claim is false, it can impose costs including lost benefits due to any interim injunction.

Review and Appeal

Under Rule 22 of the NGT Rules, there is a provision for seeking a Review of a decision or Order of the NGT. If this fails, an NGT Order can be challenged before the Supreme Court within ninety days.

Frequently Asked Questions (FAQs)

1. What is the difference between a Court and a Tribunal?

The Supreme Court has answered this question by holding that "Every Court may be a tribunal but every tribunal necessarily may not be a court". A High court for instance, where a PIL would be filed, may have wide ranging powers covering all enacted laws (including the power of contempt) but the NGT has only been vested with powers under the seven laws related to the Environment.

2. We are trying to protect a National Park/Sanctuary from various pressures including a dam proposal and widening of a highway. Should we approach the NGT?

No. As explained above, the NGT is not empowered to hear matters pertaining to issues coming under the ambit of the Wildlife (Protection) Act, 1972, which is applicable in case of National Parks, Sanctuaries and Tiger Reserves. It would be appropriate to approach either the High Court in your State or the Supreme Court. Please consult a competent lawyer for advice.

3. Can I personally argue a matter before the NGT or do I need a lawyer?

Yes. You can argue the matter yourself provided you are well acquainted with the facts and are reasonably knowledgeable about the law and procedures. The language of the NGT is English, and some guidelines related to dress apply. However,

it would be best if a lawyer represents you since (s)he will be better equipped to argue and handle all procedural aspects.

4. What is the penalty for non-compliance of an NGT Order?

If a project proponent or any authority does not comply with the directions contained in an NGT order, the penalty can be imprisonment for three years or fine extending to 10 crores or both. Continued failure will attract a fine of twenty five thousand rupees per day.

5. Is there a bar on civil courts to hear /take up cases under the seven specified laws in Schedule I of the NGT Act?

Yes. With the enactment of the NGT Act, Civil courts cannot hear matters related to Environmental issues under the seven laws which the NGT is empowered to deal with.

Source: xaam.in

TN Woman's Journey From Cattle Herder to IAS Officer

C Vanmathi is an IAS officer from Tamil Nadu. However, her story is not an ordinary one.

A resident of Erode district in Tamil Nadu, Vanmath was a cattle herder who always dreamt of being a district collector. As she spent most of her time studying and tending to her family's cattle around their village, Vanmathi only had her dreams for company, which she realised later.

According to the Better India report, Vanmathi drew inspiration from the District Collector of her hometown, whom she saw commanding respect from both young and old alike, and the TV series Ganga-Yamuna which had a lady protagonist play the role of an IAS officer in the show.

She appeared for the UPSC exam in 2015 and was among the 1,236

people who cleared the exam that year. She was in the hospital with her father, who suffered a spinal injury, when the results were announced, according to Better India.

Vanmathi attributes her success to her parents. Her parents gave her the freedom to pursue her dreams at a time when most parents marry their daughters off.

“My father works as a car driver, and my conviction that education has the power to uplift our status gave me the impetus to study further,” she told [The Hindu](#) in an interview in 2015.

She completed her training at Lal Bahadur Shastri Training Academy and her first posting was as District Collector in Maharashtra.

Vanmathi is currently posted as the Assistant Collector and Project Officer for the Integrated Tribal Development Project, Nandurbar.

Source: xaam.in

Significance of Regional Connectivity in Asia (GS 2, Bilateral/International Relations, UPSC IAS mains)

What is the issue?

- India recently declined to endorse China's Belt and Road Initiative (BRI).

- But Regional connectivity projects between India and China will benefit south Asian region.

What are regional connectivity developments in Asia?