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POLITY AND GOVERNANCE

SC GIVES NARWEKAR LAST CHANCE TO SET TIMELINE FOR ANTI-DEFECTION PROCEEDINGS

CONTEXT: The Supreme Court of India directed Maharashtra Assembly Speaker Rahul Narwekar to frame a realistic time schedule to hear and decide the anti-defection proceedings against Chief Minister Eknath Shinde and other MLAs.

The Shiv Sena founded by the late Bal Thackeray split in June 2022 following a rebellion by Mr. Shinde, who went on to become Chief Minister after unseating the Uddhav Thackeray-led Maha Vikas Aghadi government. The Thackeray faction subsequently sought the disqualification of several MLAs, including Mr. Shinde, citing anti-defection laws.

Anti-Defection

Article 102 (1) and Article 191 (1) (a) of the Indian Constitution prescribes conditions for disqualifications for membership from Parliament and State Legislatures respectively.

Grounds for disqualification of members of the House of Parliament:

Any individual holding any "office of profit" under Union, State or Local Governments and Union or State Authorities declared so by Parliament by law. The Supreme Court in Pradyut Bordoloi vs Swapan Roy (2001) identified "Office of Profit" as any office under the Union, State or any Local Governments under which the appointments and service conditions, including remuneration are determined by the Government. The Supreme Court in Jaya Bacchan vs. Union of India identified "Office of Profit" as any office under the Union, State or any Local Governments which makes the holder capable of yielding a profit or pecuniary gain.

1. Any alien individual who has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgment of allegiance or adherence to a foreign State.
2. Any individual declared of unsound mind by a competent court.
3. Any individual declared as undischarged insolvent by a competent authority.

4. An individual disqualified under any law made by the Parliament.

Salient features of Constitution (Fifty – second Amendment (52nd) Act, 1985:

Added the Tenth Schedule to the Constitution containing provisions regarding disqualification of MPs and MLAs / MLCs on grounds of political defection.

1. Voluntarily relinquishing membership of the political party.
2. Exercise voting contrary to whip issued by political party.
3. Independent member joining political party after elections.
4. Nominated House members joining any political party after the expiry of 6 months from the date of assuming office.

Salient features of the Constitution (Ninety – first Amendment (91st) Act, 2004:

Repealed paragraph 3 of the Xth Schedule.

Provided immunity from disqualification following defection in case of a split in original party by not less than one-third of the members of such party.

Exemptions from disqualification:

1. Merger of a political party with another.
2. Voluntarily relinquishing the membership of a political party after being elected to post of Speaker / Deputy Speaker of the House of the People and State Legislative Assemblies, Deputy Chairman of the Council of States and Chairman / Deputy Chairman of the State Legislative Councils or re-joining political party after ceasing to hold the office.

Deciding authority:

Presiding officer of the House makes final and binding decisions on any question regarding disqualification arising out of defection. The Supreme Court in Kihoto Hollohon v. Zachilhu and others (1992) expanded the scope of 'judicial review' upon adjudicatory powers of the presiding officer regarding any matter associated with the disqualification of a member of a House under the Schedule X of House on the grounds of mala fides, perversity etc.

ECONOMICS AND DEVELOPMENT

CENTRALISED PROCUREMENT AS A POWERFUL HEALTH IDEA

CONTEXT: Corporate hospital chains are well aware of the benefits of pooled procurement. For years on end, they have conducted direct negotiations with pharmaceutical companies, and availed of significant discounts.

The Centre chooses to ignore the merits of pooled procurement when it comes to schemes such as the Central Government Health Scheme (CGHS), the Pradhan Mantri Jan Arogya Yojana (PMJAY) and the Employees' State Insurance Scheme (ESI). Group negotiation, uniform contracts, and, finally, purchases by hospitals associated with the National Cancer Grid for 40 drugs resulted in savings of ₹ 13.2 billion. Without pooled procurement, the cost would have been ₹ 15.6 billion, with savings ranging from between 23 % to 99 %. The central government is not consistent in how it covers different categories of beneficiaries under the CGHS, ESI and PMJAY.

The Government through the National Aids Control Organization procures male contraceptives, inviting tenders from private manufacturers and then offers to buy from all those who are willing to match the lowest price. HLL Lifecare Ltd., a public sector unit (PSU), with the highest manufacturing capacity in India, provides a benchmark price. All the bidders know that if they are not competitive on price, the government will just procure all its requirements from HLL and they will be left with unused manufacturing capacity — and as a result, face huge fixed costs and overheads.

The government can follow this model for most of the drugs it procures. It has many pharma PSUs that can provide benchmark prices and also ensure that the government has leverage. Such leverage ensures that the government is not forced to buy from private manufacturers, given that there is competition from PSUs which can make supplies at a competitive price.

In addition to cost savings, centralised procurements can ensure better quality by having the supplies tested independently rather than having to rely on the drug regulator to ensure quality. Centralised procurement, or pooled procurement, is a simple yet powerful idea that has the power and the potential to reduce costs, ensure better deployment of funds in other areas related to health care, and ensure availability of life-saving drugs in this country.

ECONOMICS AND DEVELOPMENT

MODI UNVEILS LONG-TERM BLUEPRINT FOR INDIA'S MARITIME ECONOMY

CONTEXT: Prime Minister Narendra Modi unveiled the 'Amrit Kaal Vision 2047', a long-term blueprint for the Indian maritime blue economy, while inaugurating Global Maritime India Summit 2023 in Mumbai through video conference.



FIGURE: Map of the Major Ports of India.

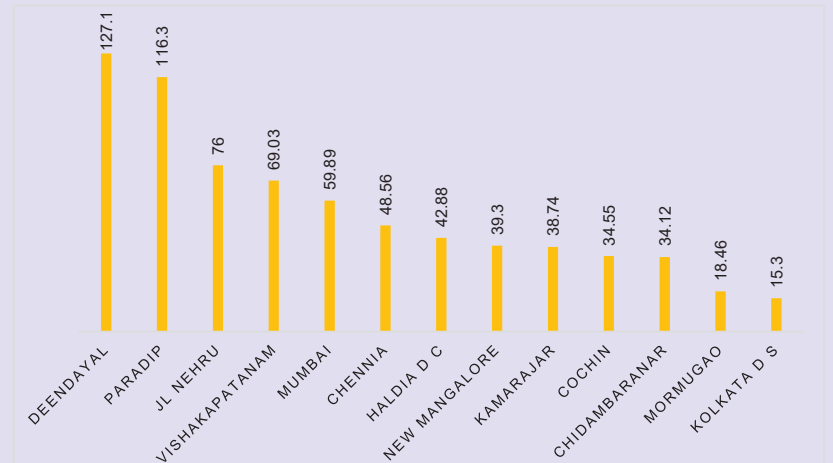


FIGURE: Column chart representation of the capacity of ports of India in Million Metric Tons in 2022.

The blueprint outlines strategic initiatives aimed at enhancing port facilities, promoting sustainable practices, and facilitating global collaboration. The policy underscores the role of sea routes in global trade, emphasising the need for a reliable global supply chain in the post-corona world. The capacity of major ports in India has doubled, and the turnaround time for big vessels has come down to less than 24 hours compared with 42 hours. The foundation stone for projects worth more than ₹ 23,000 crore that align with India's maritime blue economy.

ECONOMICS AND DEVELOPMENT

U.S., CHINA CHAFE AT INDIA'S CURBS ON LAPTOP, PC IMPORTS

CONTEXT: The U.S., China, South Korea and Chinese Taipei have raised concerns on India's decision to impose import restrictions on laptops, and computers in the meeting of WTO's Committee on Market Access on Monday in Geneva.

On August 3, India imposed import restrictions on a host of IT hardware products such as laptops, personal computers, tablets), and large or mainframe computers with a view to spur domestic manufacturing and cut imports from countries like China. The regime would take effect November 1.

The U.S. said that the decision will have an impact on trade of these products, including U.S.'s exports to India, when implemented. South Korea has stressed that the proposed measures by India seem inconsistent with WTO rules. Seoul requested India to reconsider the measures and to provide detailed clarification on this issue.

The Union government restricted all imports of laptops, tablets, and all-in-one and small-factor personal computers (PCs), that require import licences. The import restrictions would reduce the availability of laptops assembled abroad in short-term. The notification would lead to longer wait times for individual products to be cleared for import and sale in India. The restrictions are not applicable to imports under Baggage Rules. The travellers are allowed to bring products from 'restricted list' from overseas without attracting penalties. The import duty and shipping fees make Laptops purchased online from overseas would make it expensive. Devices imported for research and development, and those repaired abroad, are exempted from these restrictions. Electronic goods such as laptops are generally sold at lower rates than the maximum retail price (MRP), which allows manufacturers to hike prices on short notice when needed.

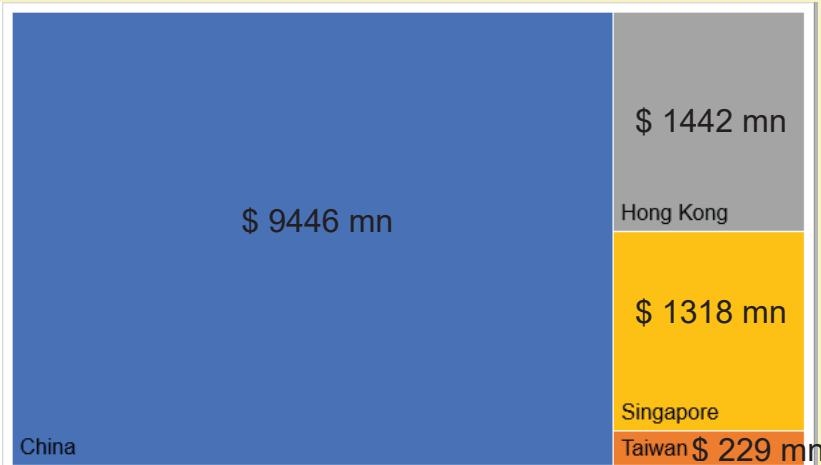


FIGURE: Tree map diagram representing the share of value of imports of laptops, tablets, and all-in-one and small-factor personal computers (PCs) to India.

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ECONOMICS AND DEVELOPMENT

INDIA TO DOUBLE INFRA SPEND TO ₹143 LAKH CR.

CONTEXT: India will spend close to ₹143 lakh crore on infrastructure between fiscals 2024 and 2030, more than twice the ₹67 lakh crore spent in the past seven financial years starting 2017.

Of the total, ₹ 36.6 lakh crore will be 'green' investments, marking a five-time rise compared with the amount spent during fiscals 2017-2023. India's infrastructure spending will double to ₹ 143 lakh crore between fiscals 2024 and 2030, compared with 2017-2023. India's gross domestic product is expected to grow at an average of 6.7 % through fiscal 2031, to be the fastest-expanding large economy. Per capita income is seen rising from \$ 2,500 now to \$ 4,500 by 2031, creating a middle-income country, underpinned by massive infrastructure development.

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