SC to re-examine Sena-NCP-Cong. combine presses for immediate vote, cannot dictate to governor, says Patil.

Krisrinadas Rajagopal
NEW DELHI
The Supreme Court on Monday said it would pass an order on Tuesday on the question of holding a floor test in the Maharashtra Assembly.

"We will give our order at 10.30 a.m. tomorrow [November 26]," the Bench, led by Justice N.V. Ramana, said.

The Governor's office and the parties on either side of the State's political divide agreed in the court that a floor test was inevitable.

Both Houses adjourned
Repeated protests over the political developments in Maharashtra forced both Houses of Parliament to adjourn for the day on Monday without transacting much business. In the Lok Sabha, Speaker Om Birla called out marshals to evict two protesting Congress members.

J&K leaders refuse to sign release bonds
Officer visits those under detention...
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<th>S. No</th>
<th>News Articles</th>
<th>Page Number*</th>
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<td>India’s enduring document of governance (Editorial)</td>
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*C – Chennai; B – Bengaluru; T – Thiruvananthapuram; H - Hyderabad; D – Delhi
Civilspedia - Shankar IAS Academy

India’s enduring document of governance

The Constitution’s durability arises from the basic commitment and experience its makers showed even in the 1940s. It was designed and drafted by some of India’s brightest and most distinguished legal minds. The Indian Constitution is a multifaceted document that reflects a complex political, social, and cultural landscape. It incorporates provisions that address a wide range of issues, including civil liberties, democracy, and economic development. The Constitution has withstood the test of time, adapting to changing circumstances while preserving its core principles.

Foundations of the Constitution

The Constitution of India was adopted on 26 January 1950, making India a democratic republic. It is the longest-serving constitution in the world, and it has undergone several amendments over the years. The Constitution is divided into three parts: the Preamble, the Directive Principles of State Policy, and the Part-legislative and executive bodies. The Constitution guarantees fundamental rights and fundamental duties, and it provides a framework for the governance of India.

Part A—Preliminary Examination

Paper 1 (200 marks)

- Current events of national and international importance.
- History of India and Indian Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.
- Indian Polity and Governance: Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

General Studies-II: Governance, Constitution, Polity, Social Justice and International relations

- Indian Constitution—history and evolution, features, amendments, significant provisions and basic structure.

Part B—Analysis and Synthesis

- Current events of national and international importance.
- History of India and Indian Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.
- Indian Polity and Governance: Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

- Indian Constitution—history and evolution, features, amendments, significant provisions and basic structure.
Editorial

* On the longevity/ endurance of the Indian Constitution

* At the time of the birth of Indian Constitution, Constitutional experts did not expect it to survive long

→ Sharp Critic – Sir Ivor Jennings

→ Far too large and far too rigid; and too unwieldy to be moulded into something useful through judicious interpretations

* Research study quoted by the author

Research Study – Lifespan of Written Constitutions

* Done by the University of Chicago

* Covered the Constitutional history of every independent state from 1789 to 2006

<table>
<thead>
<tr>
<th>REGION/GROUPS</th>
<th>MEAN LIFESPAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latin America</td>
<td>12.4 years</td>
</tr>
<tr>
<td>Africa</td>
<td>10.2 years</td>
</tr>
<tr>
<td>Western Europe</td>
<td>32 years</td>
</tr>
<tr>
<td>Asia</td>
<td>19 years</td>
</tr>
<tr>
<td>OECD Countries</td>
<td>32 years</td>
</tr>
<tr>
<td>India</td>
<td>70 years and counting</td>
</tr>
</tbody>
</table>
Study Outcomes

- Constitutions, in general do not last very long
- Mean life span of Constitutions across the world → 17 years

What does Constitutions around the world generally do?
- Ring fence the power; limit the power of authorities created under the Constitution
- Defines a nation and its goals
- Defines patterns of authority
- Means to setup government institutions

Primary Mechanisms of Constitutional Changes

- Formal amendments to the text
- Informal amendments that result from interpretative changes

Factors influencing the Constitutional lifespan

- Occurrence of shock and crisis (War) or the threat of imminent breakup of the country
- Structural attributes of the Constitution
  - Detail
  - Enforceability
  - Adaptability
- Structural attributes of the state
- Specificity of the Constitution
- Inclusiveness of the Constitution’s origins
- Adaptability to changing conditions
<table>
<thead>
<tr>
<th>Author's View</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Reasons why India's Constitution is stable</td>
</tr>
<tr>
<td>- Fractionalised environments</td>
</tr>
<tr>
<td>- Length of the Constitution</td>
</tr>
<tr>
<td>- Specificity</td>
</tr>
<tr>
<td>- Drafting committee has addressed most of the concerns</td>
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</table>

**Drafting Committee of Indian Constitution**

* 9th Dec 1946 - First meeting of Constituent Assembly
* 29th Aug 1947 - Appointment of Drafting Committee

<table>
<thead>
<tr>
<th>Members</th>
</tr>
</thead>
</table>
| - Alladi Krishnaswami  
- N. Gopalaswami  
- B.R. Ambedkar (chairperson)  
- K.M. Munshi  
- Mohammad Saadulla  
- B.L. Mitter  
- D.P. Khaitan |

* 21st Feb 1948 - Draft Constitution submitted to the President of the Constituent Assembly
* 26th Nov 1949 - Adoption of the Constitution of India
* 26th January 1950 - Constitution of India came into force
Editorial → Author’s Views (Contd.)

* Drafting Committee made sure that the Constitution is inclusive & specific

  ‘Excellent balance between redundant verbosity and confounding ambiguity’

* Drafting Committee made sure that the fundamental rights and judicial review are the sheet anchors of the constitution

* “The life of the law has not been logic. It has been experience.”

  - Justice Oliver Wendell Holmes
Turtle survival rides on Assam's towels

'Gamosas', woven with images of endangered turtles, are aiding conservation

Rahul Karmakar

The multipurpose Assamese gamosa – the ubiquitous, white cotton towel with its characteristic red border – has been assigned a new function: conservation of rare freshwater turtles. Conservationists are banking on this cultural icon to carry forward the message of turtle conservation, with gamasur woven with turtle images.

"We had no idea that our routine weaving could be part of a conservation initiative. We hope our efforts help the turtles," said Minanil Das, a weaver from Puranigaon village at Biswanath Ghat.

Ms. Das is secretary of Keso Sakhri (Friend of Turtles), a self-help group of 60 women formed a week ago at Biswanath Ghat. She is also one of eight members of this group who wove 36 ‘turtle scarves’ as an experiment under a project initiated by the Wildlife Conservation Society/Turtle Survival Alliance and funded by the Disney Wildlife Conservation Fund and Phoenix Zoo’s Conservation and Science Grant’s Program.

Parimal Chandra Ray of Turtle Survival Alliance (TSA) said about 800 women of Puranigaon were motivated to join the conservation programme because restrictions on fishing had hit their husbands’ livelihoods. "Biswanath Ghat is on the northern banks of the Brahmaputra, which flows through the Kaziranga National Park (KNP). Its high biodiversity led to the 401.8 sq km Biswanath Wildlife Division becoming a part of KNP. This was beneficial to species that depended on the river, but affected the income of the fishing communities drastically," Mr. Ray said. "We intend to sell the Keso Sakhri branded gamosa and other handloom products for generating revenue. The profit generated would be put into the group's bank account," Arpita Dutta, TSA’s centre head, told The Hindu. A part of the money would also go towards conservation of rare turtles such as the Assam Roofed Turtle.

Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.
- General issues on Environmental ecology, Biodiversity and Climate Change - that do not require subject specialization.

Part B—Main Examination

PAPER-IV

General Studies-III: Technology, Economic Development, Biodiversity, Environment, Security and Disaster Management

- Conservation, environmental pollution and degradation, environmental impact assessment.
Gamochas or Gamosas

- Handwoven white cotton towel with red border and floral motifs
- Cultural symbol of Assamese people
- GI tag

Gamochas for conservation of endangered freshwater turtles

- Gamosas woven with turtle images to spread conservation
- Assisted by International NGOs

⇒ Biswanath Wildlife Division of Kaziranga National Park

- High biodiversity
- Impact on fishing families
- Revenue to be used for helping these families + Conservation of rare turtles

Assam Roofed Turtle

- Freshwater turtle
Distribution: Northeastern India (Assam), Northeastern and Southeastern Bangladesh

Conservation Status:
- IUCN Red List - Endangered
- CITES - Appendix II
- Indian Wildlife (Protection) Act, 1972

Threats:
- Logging of trees
- Siltation
- Capture for food
- Pet trade
- Incidental capture in fishing gear

Source: IUCN

Civilspedia - Shankar IAS Academy
‘IBC for NBFCs a credit positive for Indian banks’

Enables orderly resolution: Moody’s

SPECIAL CORRESPONDENT

The government’s recent move to amend the Insolvency and Bankruptcy Code to enable resolution of non-banking finance companies (NBFCs) is a credit positive for Indian banks, rating agency Moody’s said on Monday.

“Inclusion of the NBFCs [non-banking finance institutions] in the country’s bankruptcy code is credit positive for India’s banks that are NBFCs’ largest lenders because the IBC rule provides for the orderly resolution of a stressed company. Until now, the only resolution framework for NBFCs was through liquidation,” Moody’s said.

Following the amendment, RBI said bankruptcy proceedings would be initiated for Dewan Housing Finance Corporation Ltd. Moody’s noted that since July 2019, banks and other creditors to Dewan had been unsuccessful in trying to restructure its liabilities.

“We expect the RBI to selectively approach the IBC to resolve NBFCs with severe liquidity or solvency issues, or to resolve companies whose weak corporate governance is deterring potential buyers,” it added.

Part A—Preliminary Examination

Paper I—(200 marks)

• Current events of national and international importance.

• Indian Polity and Governance—Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER-III

General Studies—II: Governance, Constitution, Polity, Social Justice and International relations.

• Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

PAPER-IV


• Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment.
Non-Banking Financial Company (NBFC)

* Registered under Companies Act 1956 (Now 2013 Act)
* Business of loans and advances, acquisition of shares etc.
* Does not include institutions whose primary activities are agricultural activity, industrial activity etc.

⇒ How NBFCs are different from Banks?
  * NBFCs cannot accept demand deposits
  * NBFCs → Not a part of payment and settlement system
  → cannot issue cheques drawn on itself
  * Deposit Insurance facility not available

⇒ Section 227 of IBC 2016 → NBFCs comes under IBC
  ⇒ Section 227 → Centre in consultation with financial sector regulators can bring financial service providers under IBC.

MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION
New Delhi, the 18th November, 2019
S.O. 4139(E).—In exercise of the powers conferred by section 227 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016), the Central Government in consultation with the Reserve Bank of India hereby notifies as under:
The insolvency resolution and liquidation proceedings of the following categories of financial service providers shall be undertaken in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016 read with the Insolvency and Bankruptcy (Insolvency and Liquidation Proceedings of Financial Service Providers and Application to Adjudicating Authority) Rules, 2019 (in this notification referred to as the ‘Rules’) and the applicable Regulations:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Category of Financial Service Provider (rule 2 of the Rules)</th>
<th>Appropriate Regulator [clause (a) of sub-rule (1) of rule 3 of the Rules]</th>
<th>Dealing with third-party assets (rule 10 of the Rules)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Non-banking finance companies (which include housing finance companies) with asset size of Rs.500 crore or more, as per last audited balance sheet.</td>
<td>Reserve Bank of India</td>
<td>To be notified separately</td>
</tr>
</tbody>
</table>

⇒ NBFCs with asset ≥ Rs. 500 Crore
⇒ A credit positive for Indian Banks
  * largest lenders to NBFCs
    Eg: DHFL - first NBFC to come under IBC

⇒ Financial regulator: RBI
  * RBI to focus on stressed NBFCs
  * NBFCs facing severe liquidity issues will be taken to IBC

⇒ In future
  * Systemically important financial institutions might be brought under IBC
Hong Kong's protest vote
Polls in the district councils allowed protesters to seek a vote for democratic change.

The Hong Kong administration led by Carrie Lam suffered a stunning rebuff on Sunday when voters rejected outright establishment candidates in elections to the city's district councils. Ms. Lam herself had indicated that the vote would be a proxy referendum on the way she handled months-long street protests, saying that a silent majority backed her administration. The protesters said votes to express their support for the agitation through the vote to the district councils, the only authority in the city being elected by full universal suffrage. They seem to have listened to the protesters, a record 2.34 million votes turned up, representing 71.6% of the total registered electorate, up from 47% in the 2015 election. The initial results suggest pro-democracy parties captured 17 of the 18 council seats from the establishment parties. In the 482-member district council, pro-democracy parties have won 398 seats, while the strength of the establishment parties, which controlled 222 seats before the polls, was reduced to a historic low — 60 seats. Hong Kong's city council elections are otherwise a soggy affair. The councilors have limited powers, mainly pertaining to local issues such as waste collection and maintaining public spaces. What drew international attention to this year's election was the violent street protests. And with the overwhelming mandate to the pro-democracy parties, Hong Kong voters have made it clear where they stand on the issue.

Protests broke out almost six months ago when the city government pushed a legislation that would have allowed the extradition of Hong Kongers to mainland China, though the government and the protesters have committed a series of mistakes ever since. The government initially refused to withdraw the extradition bill despite mounting public anger. When the protests snowballed, the administration backed off on the bill, but there was too late and too few. The protesters now demanded Ms. Lam's resignation, in an investigation into the way the police handled the protests, more democratic and electoral reforms. The city government rejected these demands as “unthinking” and adopted an increasingly aggressive approach to quell the agitation, which led to pitched battles between the protesters and the police. Both sides used force (the protesters shut down the city's main airport briefly, occupied a university and used bollards and umbrellas to attack the security personnel, while the police fired hundreds of rounds of rubber bullets and tear gas shells to control the crowd and the prolonged demonstrations have disrupted city life and pushed to a near-standing economy into recession. The crisis has entered into a stalemate.

The question is whether the election results would sway the government to take a more conciliatory approach to solve the problem. Ms. Lam has said that she would respect the mandate. One way of doing that is offering to talk to the protesters, seeking common ground to end violence and restore order in the city.
**Hong Kong**

* Located on the South Coast of China
* Equator (or) Tropic of Cancer is not passing through it
* The British East India Company made the first successful sea venture to China in 1699
  - Hong Kong’s trade with British merchants developed rapidly

- Hong Kong was ceded to Britain in 1842 under the Treaty of Nanking
- In 1997, China assumed sovereignty of Hong Kong under the “one country two systems”
- Hong Kong, a Special Administrative Region of the China
- The rights and freedoms of people in Hong Kong are based on the impartial rule of law and an independent judiciary
- Head of the government: Chief Executive

**Economy**

* Low taxation and minimum government intervention
At Present

For the past six months, Hong Kongers were protesting against the proposed Extradition Bill and also demanding greater democracy and autonomy.

Recent elections to District Councils, pro-democracy parties captured 17 of the 18 Councils.

These election results would put more pressure on the govt. to take a more conciliatory approach to resolve the ongoing crisis.
Q1. Consider the following statements with reference to the Assam Roofed Turtle.

1. It is a freshwater turtle.
2. It is found only in the Indian state of Assam.
3. It comes under ‘Critically Endangered’ category in the IUCN Red List.

Which of the above statement(s) is/are correct?

a) 1 only  
b) 2 and 3 only  
c) 1 and 3 only  
d) 1 and 2 only
Practice Question – Prelims

Q2. Consider the following statements regarding Non-Banking Financial Companies (NBFC).

1. NBFCs includes any institution whose principal business is that of agriculture activity, industrial activity, purchase or sale of any goods or providing any services and construction of immovable property.

2. The Central government in consultation with RBI can bring the financially stressed NBFC with an asset size of Rs 500 crore or more under Insolvency and Bankruptcy Code.

3. Section 227 of the Insolvency and Bankruptcy Code enables the Centre to bring financial service providers under the IBC for the purpose of their insolvency and liquidation proceedings.

Which among the above statements is/are correct?

a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3
Practice Question – Prelims

Q. ‘One country, two systems’ often seen in news refers to
   a) Israel
   b) Palestine
   c) Hong Kong
   d) Syria

Practice Question – Mains

GS – II

Q. The Constitution of India is an enduring document of governance. Discuss.

Practice Question – Prelims

26-11-2019

1. Option ‘a’
2. Option ‘b’
3. Option ‘c’