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GS 2: POLITY, GOVERNANCE, SOCIAL JUSTICE, INTERNATIONAL RELATIONS/INSTITUTIONS

1. What is the Svamvita scheme, who benefits from it and how

Context: The PM has declared that once property cards are released under the Centre's SVAMVITA scheme in all the villages of the country, it could unlock economic activity worth over 100 lakh crores. The acronym SVAMVITA stands for Survey of Villages and Mapping with Improvised Technology in Village areas. It aims to provide a 'record of rights' to those having houses in villages, and issue them a property card. The plan is to survey all rural properties using drones and prepare a GIS-based maps for each village.

Key points

- **Overview:** Prime Minister is set to distribute over 65 lakh property cards under the SVAMITVA Scheme via video conferencing.

- **SVAMITVA Scheme:** Launched in 2020 as a Central Sector Scheme. To empower rural property owners by providing Record of Rights for properties. And facilitate the economic growth of rural India by enabling property monetization and access to financial resources.
- **Features of the scheme:** *Advanced Technology* - Drone technology and Continuously Operating Reference Station (CORS) for accurate surveying and mapping of rural inhabited areas.
  Property Cards - Official documents provided to property owners for financial and legal uses.
  Reduction in Disputes - Minimize property-related disputes by creating precise land records.
  Financial Inclusion - Property cards can be used as collateral for loans, promoting rural financial stability.
  Development Planning - GIS maps generated under the scheme aid in better Gram Panchayat Development Plan (GPDP) preparation.
  Coverage - Drone surveys have been completed in over 17 lakh villages, with saturation achieved in six states and UTs, including Puducherry and Tripura.
- **Benefits of the scheme:** The delivery of property rights through an official document will enable villagers to access bank finance using their property as collateral. The property records for a village will also be maintained at the Panchayat level, allowing for the collection of associated taxes from the owners. The money generated from these local taxes will be used to build rural infrastructure and facilities. Freeing the residential properties including land of title disputes and the creation of an official record is likely to result in appreciation in the market value of the properties. The accurate property records can be used for facilitating tax collection, new building and structure plan, issuing of permits and for thwarting attempts at property grabbing.
- **Need for and significance of the scheme:** The need for this Yojana was felt since several villagers in the rural areas don't have papers proving ownership of their land. In most states, survey and measurement of the populated areas in the villages has not been done for the purpose of attestation/verification of properties.
- **Challenges in Implementing:** Unclear Legal Validity of the SVAMITVA Cards. No specific provision is provided to ensure the legal validity of the property cards. Variations in laws governing the land record-keeping practice across different states. Proper inclusion of the marginalized communities, including- Sharecroppers, Scheduled Castes, Scheduled Tribes, Women, etc.
- **Way forward:** The SVAMITVA scheme targets to complete the land record survey exercise by March 2025. The following points can be kept in mind while going forward with implementing the SVAMITVA Scheme-
  - ➢ The relevant authority shall guarantee that the property cards are legal proof of land ownership recognized by Financial Institutions.
  - ➢ State government could also constitute expert committees to ensure that the relevant state laws are amended so that the objectives of the SVAMITVA Scheme can be achieved.
- **Conclusion:** After its successful completion, the SVAMITVA scheme will be a cornerstone in many ways. It will support village-level planning, monetize the assets of rural people, minimize property-related disputes, and will also potentially improve the financial condition of the Panchayati Raj Institutions using tax collection. Every village in the country will eventually be covered under the scheme, which is a step in the right direction towards taking the Atmanirbhar Bharat campaign to rural India and establishing Gram Swaraj in the true sense. Timely implementation and effectively dealing with the challenges enroute the implementation of the SVAMITVA Scheme is the need of the hour.

2. UCC key to national integration

Context: Former Chief Justice of India Ranjan Gogoi called the proposed Uniform Civil Code (UCC) a "very important" step towards national integration and social justice, stressing the need to build consensus before its implementation. If implemented, UCC would establish a single set of personal laws for all citizens, regardless of their faith. It would apply to matters like marriage, divorce, adoption, inheritance and maintenance. According to Gogoi, the UCC has nothing to do with religion. Even the Supreme Court, in five matters, starting with the Shah Bano case, concerning the right of Muslim women to seek maintenance.

Key points

- **Overview:** Article 44, enshrined in Part IV of the Indian Constitution, recognises the need for a UCC, but it is not mandatory and is left to the government's discretion. The demand for a uniform civil code in India is contentious; supporters argue it promotes equality and secularism, while opponents believe it undermines minority rights and religious practices.
- **Uniform Civil Code:** The Uniform Civil Code seeks to create a common civil law that applies to all citizens equally, unlike the current system where religious communities follow their respective personal laws on matters like marriage, divorce, and inheritance.
- **Present Status of the Civil Laws:** *Hindu Personal Laws* - It is codified in four Acts, The Hindu Marriage Act, 1955. Hindu Succession Act, 1956. Hindu Minority and Guardianship Act, 1956, and Hindu Adoptions and Maintenance Act, 1956.

   Muslim Personal Law - It is not codified per se but is based on religious texts, though certain aspects of these are expressly recognised in India in acts such as the Muslim Personal Law (Shariat) Application Act, 1937 and Dissolution of Muslim Marriages Act, 1939.

   Christian Personal Laws - Christian marriages and divorces are governed by the Indian Christian Marriages Act of 1872.

   Exceptions to Personal Laws - Under Article 371, the Constitution makes certain exceptions to family law for the states of Assam, Nagaland, Mizoram, etc., to protect distinct regional identities.
- **Related SC Judgements:** *Sarla Mudgal v. Union of India (1995)* - This case involved a Hindu man who converted to Islam to practice polygamy. The Supreme Court emphasised the need for a UCC to prevent the misuse of personal laws, stating that such a code would bring clarity and consistency to civil laws.

   Shayara Bano case (2017) - The Supreme Court declared the practice of instant triple talaq (talaq-e-biddat) unconstitutional, marking a significant step toward promoting gender equality.
- **Way Forward:** A balanced approach to implementing a Uniform Civil Code (UCC) involves gradual reform of personal laws, inclusive consultations, a focus on gender justice, state-level UCC initiatives, and promoting legal awareness to build public support.
  - *Gradual Reform in Personal Laws* - Instead of an abrupt shift to a UCC, gradual reforms within existing personal laws could be more effective.
  - *Broad-Based Consultation* - Establishing a UCC requires consultation with all communities to ensure inclusivity and address concerns related to cultural identity. This approach could mitigate resistance and increase acceptance.
  - *Consider State-Level UCC Initiatives* - Allowing states to implement a UCC at the local level could help gauge its effectiveness and acceptability.

3. Why dead olive ridley turtles are washing up on Tamil Nadu beaches

Context: Over the past two weeks, numerous dead olive ridley turtles have washed ashore in Tamil Nadu, particularly in Chennai. Experts have estimated that so far, between 300 and 350 turtles have been found dead. Olive ridley turtles arrive near Tamil Nadu coast around September-October to breed. Their nesting season begins in late November and ends in March. Although deaths during nesting season are not unusual, the large number of Turtle carcasses found this early has sparked concern among conservationists and citizens.

Key points

- **Causes of Death:** The primary cause of death is bycatch from commercial fishing nets. Turtles often get trapped and drown, as they need to surface for air. Experts suggest the high number of deaths this year may be linked to increased fish availability, attracting more fishing vessels to the area.
- **Health Indicators of Carcasses:** Post-mortem examinations have revealed health issues in the turtles. Many showed signs of suffocation, including lung lesions, bulging eyes, and swollen necks, indicating drowning. These findings highlight the urgent need for conservation efforts.
- **Nesting Season Overview:** Olive ridley turtles' nest from late November to March. Mass nesting occurs primarily in Odisha, with activity in Andhra Pradesh and Tamil Nadu. Female turtles lay 100-110 eggs per nest, covering them with sand to protect against predators.
- **Conservation Measures:** The Andhra Pradesh government has imposed a month-long fishing ban near Hope Island to protect nesting turtles. Conservationists advocate for stricter enforcement of turtle-excluding devices in fishing nets to reduce bycatch.

Olive Ridley Turtle

- **About:** These turtles are carnivores and get their name from their olive-coloured carapace. They are best known for their unique mass nesting called Arribada, where thousands of females come together on the same beach to lay eggs.
- **Habitat:** They are found in warm waters of the Pacific, Atlantic, and Indian oceans. Odisha's Gahirmatha Marine Sanctuary is known as the world's largest rookery (a colony of breeding animals) of sea turtles.
- **Protection Status:** Wildlife Protection Act, 1972: Schedule 1. IUCN Red List: Vulnerable. CITES: Appendix I.
- **Initiatives to Protect Olive Ridley Turtles:** *Operation Olivia* - Every year, the Indian Coast Guard's "Operation Olivia", initiated in the early 1980s, helps protect Olive Ridley turtles as they congregate along the Odisha coast for breeding and nesting from November to December.
  Tagging - The tagging of the Olive Ridley turtles using non-corrosive metal tags is done to enable scientists to chart their movements and know the areas they visit to protect the species and their habitats.
- **Threats Faced:** Coastal development projects, such as the construction of seawalls, resorts, and ports, destroy nesting beaches and reduce foraging grounds for olive ridley turtles. They are accidentally caught in fishing gear, such as gillnets, trawls, and longlines. This can injure or kill the turtles. Raccoons, crabs, birds, and foxes can raid olive ridley turtle nests and predate on the eggs affecting their population growth.

4. Indian cryptography research gears up to face the quantum challenge

Context: Fundamental research in cryptography that's used worldwide to facilitate internet banking, e-commerce services, and secure messaging systems is now taking root in India as well. The principal goal of those developing or using cryptographic systems is to improve system security. Cryptography — from the English roots of "hidden writing" — is the name for techniques that secure information by converting plain text into ciphertext. It is concerned with the creation and use of encrypted messages that only the sender and the receiver can understand and which a malicious actor who interferes with the communication can't.

Key points

- **Overview:** Cryptography is a cornerstone of modern Information and Communication Technology (ICT), serving as a robust mechanism to secure information and communications. Scientists are proposing a new technology known as quantum cryptography to protect sensitive communications.
- **Cryptography:** It plays a vital role in securing information and communication within the vast realm of Information and Communication Technology (ICT). It's like a digital shield, protecting sensitive data from prying eyes and ensuring its integrity during transmission or storage.
- **Quantum Cryptography:** It is also known as quantum encryption which uses the naturally occurring properties of quantum mechanics to secure and transmit data in a way that cannot be hacked. It is completely secure against being compromised without the knowledge of the message sender or the receiver, some of the benefits are-
  - *Provides secure communication* - Instead of difficult-to-crack numbers, quantum cryptography is based on the laws of physics, which is a more sophisticated and secure method of encryption.
  - *Detects eavesdropping* - If a third party attempts to read the encoded data, then the quantum state changes, modifying the expected outcome for the users.
  - *Offers multiple methods for security* - There are numerous quantum cryptography protocols used. Some, like QKD, for example, can combine with classical encryption methods to increase security.
- **Cryptography permeating the ICT landscape:** *Encryption* - Messages are transformed into unreadable code using mathematical algorithms and secret keys.
  Digital Signatures - Cryptography allows to create a unique digital fingerprint of the data, ensuring its authenticity and preventing tampering.
  Data at Rest - When storing sensitive data on hard drives or in cloud servers, encryption scrambles it into an unreadable format. Even if hackers gain access to the storage, they'll face a formidable wall of complex code.
  Data in Transit - As data travels across networks, it's vulnerable to interception.
  Authentication - Cryptography verifies the identity of users trying to access systems or information.
  Authorization - Once authenticated, users are granted specific access levels to data and systems.
- **Conclusion:** Cryptography is integral to maintaining security and trust in the digital world. By protecting data in transit and at rest, and enabling secure authentication and authorization, it fortifies the ICT infrastructure. As digital interactions continue to expand, the role of cryptography in ensuring secure and reliable communication becomes increasingly crucial.

5. Recasting insolvency resolution

Context: The Insolvency and Bankruptcy Code, 2016 (IBC) is one of India's most significant economic reforms, introduced to address the challenges of insolvency resolution in a structured and time-bound manner. At the time of its introduction, the IBC was seen as an important tool that would help India's standing in the business world and bring bad borrowers and big defaulters to book. Yet, as the law matured, certain issues have cropped up that demand attention, particularly regarding institutional capacity and procedural efficiency.

Key points

- **Overview:** The recent Supreme Court of India judgment in Jet Airways (State Bank of India & Ors. vs The Consortium of Mr. Murari Lal Jalan and Mr. Florian Fritsch & Anr.) has laid bare the many structural infirmities that are plaguing India's insolvency regime.
- **Insolvency and Bankruptcy Code 2016 (IBC 2016):** Insolvency and Bankruptcy Code is a legislation enacted in 2016 based on the 'T.K Vishwanathan Committee Report'. It consolidates various laws pertaining to the resolution of insolvency of businesses and firms. It establishes streamlined and expedited insolvency procedures to assist creditors, such as banks, in recovering dues and mitigating bad loans, which are a significant burden on the economy. It is also known as the exit law of India.
  - ➢ *Insolvency* - Insolvency refers to a situation where individuals or companies cannot repay back their outstanding debt obligations.
  - ➢ *Bankruptcy* - Bankruptcy refers to a legal status declared by a court of competent jurisdiction for a person or entity that is insolvent i.e. unable to pay off debts.
- **Insolvency and Bankruptcy (Amendment) Act, 2021:** The Insolvency and Bankruptcy (Amendment) Act, 2021 introduced an alternate insolvency resolution process for Micro, Small and Medium Enterprises (MSMEs) with defaults up to ₹1 crore called the Pre-packaged Insolvency Resolution Process (PIRP).
- **Some achievements of Insolvency and Bankruptcy Code:** *Improved Legal Provision* - Insolvency and Bankruptcy Code (IBC Code) is a vast improvement on the two earlier laws for recovering bad loans. *Ease of Doing Business (EoDB)* - Post introduction of the Insolvency and Bankruptcy Code (IBC Code), many business entities can be seen paying up front before being declared insolvent. Moreover, many cases have been resolved even before it was referred to NCLT.
- **Challenges:** *Lack of operational NCLT benches* - Most of the single and division benches of NCLT remain non-operational or partly operational on account of a lack of adequate support staff and proper infrastructure.
  Low approval rate of resolution plans - As per the Insolvency and Bankruptcy Board of India's data, only 60% of the cases have been closed, and most of the cases have been closed through liquidation, only a few cases have been closed due to resolution.
- **Conclusion:** The Insolvency and Bankruptcy Code (IBC) has led to significance improvements in India's insolvency landscape, providing a robust framework for the resolution of distressed assets. By fostering a culture of credit discipline, promoting entrepreneurial ventures, and ensuring the efficient use of resources, it has set the stage for a more resilient and dynamic economy. Ongoing efforts to refine and strengthen the code will be crucial for managing the complexities of insolvency and bankruptcy in the future.