

ON GUARDIANSHIP AND ADOPTION OF MINORS

SYLLABUS: GS PAPER-II (GOVERNMENT POLICIES & INTERVENTIONS)

CONTEXT: The Parliamentary Standing Committee on Law and Justice has tabled its report in both Houses of Parliament titled 'Review of Guardianship and Adoption Laws.'

KEY HIGHLIGHTS OF THE REPORT

- **Equal Rights to mothers as guardians:** Amend the Hindu Minority and Guardianship Act (HMGA), 1956 and accord equal rights to mothers as guardians under this act instead of treating them as subordinates to their husband.
- **Joint Custody of Child:** In cases of a marital dispute, there is a need to relook at child custody which is typically restricted to just one parent where mothers tend to get preference. It says courts should be empowered to grant joint custody to both parents when such a decision is conducive to the welfare of the child.
- **Adoption of Child:** It has proposed allowing the LGBTQ community to adopt children as well.
- **Omit the word Illegitimate Child:** HMGA Act, 1956 makes use of the term 'illegitimate' in reference to a child born out of wedlock. The committee recommended that the word 'illegitimate' should be omitted as no child is illegitimate and the law should be the same for all children whether born within or out of wedlock.

WHAT DOES THE LAW SAY ON GUARDIANSHIP AND ADOPTION?

- **Hindu Minority and Guardianship Act, (HMGA) 1956:** Under this, the natural guardian of a Hindu minor in respect of the minor's person or property is the father and after him, the mother. Provided the custody of a minor who has not completed the age of five years shall ordinarily be with the mother.
- **Muslim Personal Law (Shariat) Application Act, 1937:** It says that the Shariat or the religious law will apply in the case of guardianship according to which the **father is the natural guardian**, but custody vests with the mother until the son reaches the age of seven and the daughter reaches puberty though the father's right to general supervision and control exists.
- **Supreme Court Judgement:** The Supreme Court's landmark judgement in **Githa Hariharan v. The Reserve Bank of India in 1999** provided partial relief. In this case, the HMGA was challenged for violating the guarantee of equality of sexes under Article 14 of the Constitution of India.
 - – The court held that the term "after" should not be taken to mean "after the lifetime of the father", but rather "in the absence of the father." But the court failed to recognize both parents as equal guardians, subordinating a mother's role to that of the father.
- **Law Commission of India:** The Law Commission in its 257th report on "**Reforms in Guardianship and Custody Laws in India**" in 2015 recommended that the **superiority of one parent over the other should be removed**. Both the mother and the father should be regarded, simultaneously, as the natural guardians of a minor.

- **The current law on adoption of a child by LGBTQI: Adoption Regulations, 2017** is silent on adoption by LGBTQI people and neither bans nor allows them to adopt a child.

RANKINGS THAT MAKE NO SENSE

SYLLABUS: GS PAPER-II (ISSUES PERTAINING SOCIAL SECTOR RELATED TO EDUCATION, NEP, NIRF)

CONTEXT: The National Institutional Ranking Framework (NIRF)'s ranking of higher education institutions (HEIs), released in July, has received considerable flak.

HEIs are ranked overall, university-wise, college-wise and under disciplines such as law, medical, pharmacy, management, architecture, and engineering.

ABOUT NATIONAL INSTITUTIONAL RANKING FRAMEWORK (NIRF)

- **Launched in:** 2015 by the Ministry of Education.
- **Purpose:** To rank colleges, universities and research institutions and provides an overall ranking of all of them combined.
- **Parameters:** The framework judges' institutions under five broad groups of parameters of:

Teaching, Learning and Resources (TLR)

Research and Professional Practice (RP)

Graduation Outcomes (GO)

Outreach and Inclusivity (OI)

Perception (PR)

- **Categories:** The rankings have been announced for 11 categories. This includes overall, university, management, college, pharmacy, medical, engineering, architecture, ARIIA (Atal Ranking of Institutions on Innovation Achievements), law and research institutions.

KEY RANKINGS OF NIRF 2022

- **Overall: IIT-Madras** has retained its number one position in the overall educational institutes and engineering categories this year as well.
- **Universities: Indian Institute of Science, Bengaluru** tops the Universities Category for the seventh consecutive year. It stood first in the Research Institutions Category for the second consecutive year.
- **Management: IIM Ahmedabad** tops in Management subjects retaining its first position for the third consecutive year.
- **Medical: All India Institute of Medical Sciences (AIIMS), New Delhi** occupies the top slot in Medical for the fifth consecutive year.
- **Colleges: Miranda House** retains the 1st position amongst colleges for the sixth consecutive year.

ISSUES WITH THE DATA

Private institutions placed above NLUs:

- The NIRF places some private multi-discipline institutions higher than many prestigious national law universities (NLUs) and law departments.
- Generally, students who cannot secure a seat in NLUs are admitted to private institutions.

These institutions are not the first choice:

- NIRF ranking shows that a private law university scored 100% in perception.
- Considering this score, it should have been the most preferred place for students.
- But the Common Law Admission Test admission choices show different picture-this institution figures below 10 NLUs as a preferred place to study.

Lack of rigorous system:

- An analysis of the data submitted by some multi-discipline private universities participating in various disciplines under the NIRF provides evidence of data fudging.

Faculty-student ratio:

- Evidence suggests that some private multi-discipline universities have claimed the same faculty in more than one discipline.

Funding in research:

- Research funding for research projects and consultancy is an essential parameter for ranking.
- Data show that research grants and consultancy charges received in other disciplines appear to have been claimed as those in law.

No transparency:

- The NIRF requires the data submitted to it to be published by all the participating HEIs on their website so that such data can be scrutinized.
- Some private multi-discipline universities have not granted free access to such data on their website; instead, they require an online form to be filled along with the details of the person seeking access.

Discrepancy in data:

- For instance, the data uploaded on the websites omit details on the number, name, qualification, and experience of the faculty.
- Same parameters to all institutions: The NIRF apply the same parameters to all the institutions across varied disciplines in research and professional practice.

Publication data only from Scopus and web of science:

- While the National Assessment and Accreditation Council gives due weightage to publications in UGC-Care listed journals, the NIRF uses publication data only from Scopus and Web of Science.

INDIA'S SOLAR POWER DREAM

SYLLABUS: GS PAPER-III (INDIGENIZATION OF TECHNOLOGY)

CONTEXT: Government of India has set the target to expand **India's renewable energy installed capacity to 500 GW by 2030.**

India is also targeting to reduce India's total projected **carbon emission by 1 billion tonnes by 2030, reduce the carbon intensity of the nation's economy by less than 45% by the end of the decade, achieve net-zero carbon emissions by 2070.**

PRESENT STATUS OF RENEWABLE ENERGY IN INDIA

- The **total installed capacity for renewable energy in India is 151.4 GW.**

- The following is the breakup of total installed capacity for Renewables:

Wind power: 40.08 GW

Solar Power: 50 GW

Biopower: 10.61 GW

Small Hydro Power: 4.83 GW

Large Hydro: 46.51 GW

Present Solar Power capacity:

- 45 solar parks of aggregate capacity 37 GW have been approved in India.
- Solar Parks in Pavagada (2 GW), Kurnool (1 GW) and Bhadla-II (648 MW) are included in the top 5 operational solar parks of 7 GW capacity in the country.
- The **world's largest renewable energy park of 30 GW capacity solar-wind hybrid project is under installation in Gujarat.**

CHALLENGES

Heavily Dependent on Imports:

- India **does not have enough module and PV cell manufacturing capacity.**
- The current solar module manufacturing capacity is limited to 15 GW per year, whereas the domestic production is around 3.5 GW only.
- Further, out of the 15 GW of module manufacturing capacity, only 3-4 GW of modules are technologically competitive and worthy of deployment in grid-based projects.

Raw Material Supply:

- The **silicon wafer, the most expensive raw material, is not manufactured in India.**
- It currently imports 100% silicon wafers and around 80% cells.
- Further, other key raw materials, such as **silver and aluminum metal pastes for making electrical contacts, are also almost 100% imported.**

GOVERNMENT INITIATIVES

PLI scheme to Support Manufacturing:

- The Scheme has provisions for supporting the setting up of integrated manufacturing units of high-efficiency solar PV modules by providing Production Linked Incentive (PLI) on sales of such solar PV modules.

Domestic Content Requirement (DCR):

- Under some of the current schemes of the Ministry of New & Renewable Energy (MNRE), namely **Central Public Sector Undertaking (CPSU) Scheme Phase-II, PM-KUSUM, and Grid-connected Rooftop Solar Programme Phase-II**, wherein government subsidy is given, it has been mandated to source solar PV cells and modules from domestic sources.
- Further, the government made it mandatory to procure modules only from an **Approved List of Manufacturers (ALMM)** for projects that are connected to state/ central government grids.

Imposition of Basic Customs Duty on import of solar PV cells & modules:

- The Government has announced the **imposition of Basic Customs Duty (BCD) on the import of solar PV cells and modules.**
- Further, it has imposed a **40% duty on the import of modules and a 25% duty on the import of cells.**
- Basic custom duty is the duty imposed on the value of the goods at a specific rate.

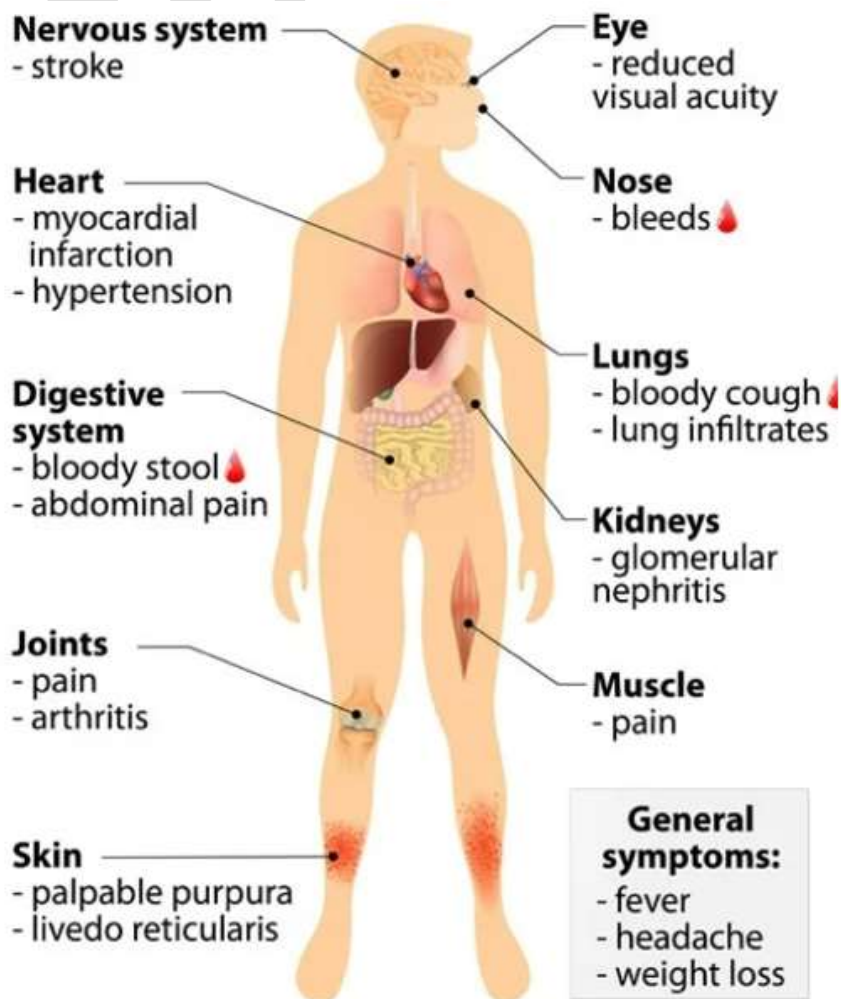
Modified Special Incentive Package Scheme (M-SIPS):

- It is a scheme of the **Ministry of Electronics & Information Technology.**
- The scheme provides a subsidy for capital expenditure on Pv cells and modules – 20% for investments in Special Economic Zones (SEZs) and 25% in non-SEZ.

PRELIMS FACTS

WORLD TRIBAL DAY

- World Tribal Day or **International Day of the World's Indigenous Peoples is observed on 9th August every year.**
- It is aimed at promoting and protecting the rights of the world's indigenous population and to acknowledge the contributions that indigenous people make towards world issues such as environmental protection.
- The day recognizes the **first meeting of the United Nations Working Group on Indigenous Populations in Geneva in 1982.**
- It has been **celebrated every year since 1994**, in accordance with the declaration by the United Nations.
- To date, numerous indigenous peoples experience **extreme poverty, marginalization, and other human rights violations.**
- The theme for 2022 is **"The Role of Indigenous Women in the Preservation and Transmission of Traditional Knowledge"**.



VASCULITIS

- Vasculitis involves **inflammation of the blood vessels.** The inflammation can cause

the **walls of the blood vessels to thicken, which reduces the width of the passageway through the vessel.** If blood flow is restricted, it can result in organ and tissue damage.

- There are many types of vasculitis, and most of them are rare. Vasculitis might affect just one organ, or several. The **condition can be short term or long lasting.**
- **Symptoms:** Fever, Headache, Fatigue, Weight loss, General aches, and pains.
- The exact cause of vasculitis is not fully understood. Some types are related to a **person's genetic makeup.** Others result from the **immune system attacking blood vessel cells by mistake.** Possible triggers for this immune system reaction include: **Infections, such as hepatitis B and hepatitis C; Blood cancers; Immune system diseases, such as rheumatoid arthritis, lupus, and scleroderma; Reactions to certain drugs.**

LANGYA HENIPAVIRUS (LayV)

- A new virus that can jump from animals to humans has been detected in China with 35 people already infected. It has been called Langya henipavirus (LayV) - and has been found across two provinces in eastern China.

- LayV is an example of a **Zoonotic Henipavirus.** The virus is in the **Henipavirus family.** Two

species have been identified before; **the Hendra virus - first detected in the Brisbane suburb of the same name - and Nipah virus,** both cause severe infections and are sometimes fatal.



- The World Health Organization classifies **Henipavirus as a biosafety Level 4 threat. Case fatality rates range between 40 and 75 per cent,** data suggests.

- Test results from more than two dozen wild animals suggests the **shrew - a small mole-like mammals - might be a natural reservoir of LayV.**
- Existing patients had a history of contact with animals.
- Symptoms of LayV include: **fever, fatigue, a cough, loss of appetite, muscle pain, nausea, headache, and vomiting.**