

SosinClasses

INSTITUTE FOR IAS EXAMINATION

(IAS, IFS, IPS, IRS, IRMS, IFoS & Other Civil Services)

Ashok Nagar X Road, Hyderabad

+91-90000 36699 / 90000 66690

www.sosinclasses.com / info@sosinclasses.com

DAILY NEWS DIARY

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FOR PRELIMS AND MAINS

Warm Greetings.

- DnD aims to provide every day news analysis in sync with the UPSC pattern.
- It is targeted at UPSC – Prelims & Mains.
- Daily articles are provided in the form of Question and Answers
- To have a bank of mains questions.
- And interesting to read.
- Providing precise information that can be carried straight to the exam, rather than over dumping.

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GS 2

❖ POLITY & GOVERNANCE

Q) Explain the reforms in the provisions of bail to facilitate the strict compliance with the provisions of Section 41 and 41A of the Code of Criminal Procedure, 1973.

Context:

On July 11, a division bench of the Supreme Court of India in Satender Kumar Antil vs CBI laid down fresh guidelines on arrests in order to have strict compliance with the provisions of Section 41 and 41A of the Code of Criminal Procedure, 1973.

In recent times, there have been several controversies regarding the arrest and subsequent bail of accused persons. On July 16, even the Chief Justice of India (CJI) cautioned against “hasty and indiscriminate arrests”. He further commented on the delay in bails and the plight of undertrial prisoners.

Guidelines:

- In the case of Arnesh Kumar (2014), the apex Court had rightly observed that “arrest brings humiliation, curtails freedom and cast scars forever”.
- With regard to the Satender Kumar Antil case, the Court has issued specific directions and has also called for a compliance report.
- The Court said that the investigating agencies and their officers are duty-bound to comply with the mandate of Section 41 and 41A and the directions issued.

How is a person arrested?

- Arrest in its simplest form is defined as, “when one is taken and restrained from his liberty”.
- The police has wide powers to arrest under the Code of Criminal Procedure, 1973.
- In the Joginder Kumar (1994) verdict, the Court had stated that “arrest and detention in police lock-up of a person can cause incalculable harm to the reputation and self-esteem of a person”.

Sections 41 and 41A of the Code of Criminal Procedure:

1. Section 41 provides for the circumstances in which arrest can be made by the police without a warrant and mandates for reasons to be recorded in writing for every arrest and non-arrest.
2. Section 41A provides for the requirement of a notice to be sent by the investigating agencies before making an arrest in certain conditions prescribed by the Code.

Court stance on these articles:

- The Court stated that any dereliction on the part of the agencies has to be brought to the notice of the higher authorities by the court followed by appropriate action.
- The Bench further said that the courts will have to satisfy themselves on the compliance of Section 41 and 41A.
- Any non-compliance would entitle the accused for a grant of bail.

Guidelines with respect to bail:

- a. Regarding bail, the Court has made a specific observation in the form of an obiter that the:
- b. Govt may consider the introduction of a separate enactment, i.e. a Bail Act, so as to streamline the grant of bails.
- c. It is clearly stated that there need not be any insistence on a bail application while considering the application under Sections 88, 170, 204 and 209 of the Code.
- d. The Court said that there needs to be a strict compliance of the mandate laid down in the judgment of this court in Siddharth” (Siddharth vs State of U.P., 2021).
- e. It is a clear direction of the Court that bail applications ought to be disposed of within a period of two weeks except if the provisions mandate otherwise — the exception being an intervening application.
- f. The Court also said that applications for anticipatory bail are expected to be disposed of within a period of six weeks with the exception of any intervening application.
- g. The High Courts have been directed by the apex court to identify undertrial prisoners who cannot comply with bail conditions.

Way forward:

- ✓ The State and Central governments will have to comply with the directions issued by the Court from time to time with respect to the constitution of special courts.
- ✓ The High Court in consultation with the State governments will have to undertake an exercise on the need for special courts.
- ✓ The vacancies should be filled up in the position of Presiding Officers of the special courts, expeditiously.
- ✓ The CJJ has also raised the issue of vacant positions and infrastructural requirements in the judiciary.

Source: The Hindu**Q) Elucidate the major provisions of the Model Tenancy Act. Assess the challenges in implementing the Model Tenancy Act.****Context:**

More than a year since the Union Housing and Urban Affairs Ministry circulated the Model Tenancy Act (MTA), only four States had revised their tenancy laws to be in line with the MTA.

Model Tenancy Act:

MTA is aimed at opening up of the vacant housing stock for rental housing purposes and helping bridge the trust deficit that exists between tenants and landlords by clearly delineating their obligations. The housing and urban affairs ministry had floated the draft model tenancy law in July 2019.

Major provisions of MTA

- 1) *Rent Court and Rent Tribunal:* To ensure speedy redressal of disputes, the Act calls for establishing a separate Rent Court and Rent Tribunal in every state/UTs to hear appeals for matters connected to rental housing. Only the rent court and no civil court will have

the jurisdiction to hear and decide the applications relating to disputes between landowner and tenant and matters connected with it. It calls for the disposal of complaints and appeals by the Rent Court and Rent Tribunals within 60 days.

- 2) *Tenancy Agreements*: It also seeks to establish an independent authority in every state and Union Territory for the registration of tenancy agreements. Under the Act, unless otherwise agreed in the tenancy agreement, the landlord will be responsible for activities like structural repairs except those necessitated by damage caused by the tenant etc. On his part, a tenant will be responsible for drain cleaning, switches and socket repairs, kitchen fixtures repairs, replacement of glass panels in windows, doors and maintenance of gardens and open spaces, among others.

For residential and commercial properties:

- The Act will apply to premises let out for residential, commercial or educational use, but not for industrial use. It also won't cover hotels, lodging houses, inns, etc.
- This model law will be applied prospectively and will not affect existing tenancies.
- It seeks to cover both urban as well as rural areas.
- The Act says that a security deposit equal to a maximum of two month's rent in the case of residential premises and a maximum of six month's rent in the case of non-residential premises would have to be paid by the tenants.

How will states implement it?

As per the MoU signed under PMAY-U, the states and union territories would legislate or amend the existing rental laws on the lines of the MTA.

Necessity:

- For a rental economy

Without a well-rounded rental policy and the proper implementation of the rental contracts, there was no sound mechanism to resolve tenant-landlord conflicts. Property owners find it challenging to evict tenants if they misuse the property. To steer clear of such complications, such property owners often chose to keep these homes vacant instead of renting them out.

- Unattractive rental yield

In India, the rental yield for residential property is quite low, even in bigger cities. It is in the range of 1.5% to 3% of the capital values. This has disincentivized people from investing in second or third homes which could be rented out. Often, they also prefer to leave their properties vacant in case they return to India. NRIs avoid leasing their residential properties for fear of squatters and dealing with the legalities of eviction.

How will MTA help?

- a. Unlocking homes

It will unlock vacant houses for rental purposes. It will enable the creation of adequate rental housing stock for all the income groups thereby addressing the issue of homelessness.

- b. Helping migrants

Rental housing is a preferred option for students and migrants. It will balance the rights of both landlords and tenants.

- c. Effective negotiations

There is no monetary ceiling under MTA, which enables parties to negotiate and execute the agreement on mutually agreed terms. It will give confidence to landlords to let out their vacant premises, the housing ministry said. The Act also tries to address how a renter can legitimately increase the rent.

d. Control over encroachments

It has proposed limiting the advance security deposits to two months' rent and has also suggested heavy penalties for tenants who decide to overstay. Those who do may have to shell out double the rent for two months and even four months.

e. Rights of tenants

The landowner cannot cut power and water supplies in case of a dispute and would have to provide a 24-hour notice to tenants to carry out repair work. Should the landlords wish to increase the rent, they will need to provide a three-months notice to the tenants. These measures would go a long way in protecting the rights of a tenant as it regulates the rent hikes that tenants have had to face.

Challenges ahead:

While the proposals of the Act have been widely welcomed, their implementation may not be very simple.

i. Not binding nature

The Act is not binding on the states as land and urban development remain state subjects. Like in the case of RERA, the fear is that states may choose not to follow guidelines, diluting the essence of the Model Act.

ii. Issues over paltry rents

Also, the Model Act is prospectively applicable and will not affect the existing tenancies. The repeal of rent control Acts can be governed by political exigencies. This may be a complicated process in cities like Mumbai, where tenants have occupied residential properties in prime areas for absurdly low rents.

Source: The Hindu

GS 3

❖ ECONOMY

Q) "India already has a technology stack to facilitate digital banks". Discuss the significance of the digital banks.

Context:

Last week, federal think tank NITI Aayog released a report on digital banks, offering a template for their licensing in India. It said India already has a technology stack to facilitate digital banks.

Digital Banks:

- Digital Banks or DBs are full-scale banks to be licensed under the Banking Regulation Act.

- Unlike traditional banks, which require brick-and-mortar infrastructure or physical access points, digital banks simply leverage technology to provide banking services through mobile applications and internet-based platforms.
- DBs behave like any other scheduled commercial bank, accepting deposits, giving loans etc.
- They will follow prudential and liquidity norms at par with the commercial banks.
- Globally, terms like “digital banks”, “neobanks”, “challenger banks”, and “virtual banks” are often used interchangeably.

Digital banking units:

- ✓ The Union budget for FY23 proposed to establish digital banking units (DBUs) of scheduled commercial banks in 75 districts.
- ✓ The objective is to ensure that the benefits of digital payments, banking and fintech innovations reach the grass-roots.
- ✓ DBUs are treated as banking outlets, equivalent to a branch.
- ✓ These units do not have a legal personality and are not licensed under the Banking Regulation Act.
- ✓ Only existing commercial banks may establish DBUs. In contrast, digital banks will be licensed.
- ✓ These banks are expected to ensure credit penetration to underserved MSMEs and retail customers.

Purpose of digital banks:

- Digital banks are expected to further innovation and support the underserved segments.
- However, some believe that it will only cater to customers with some level of comfort with digital transactions.
- According to them, RBI too is not comfortable with this model as the central bank believes that cash handling and credit decisions require physical branches.

NITI Aayog suggest for DBs:

- In the first phase, a restricted digital bank licence may be given, with limits in terms of volume/value of customers. In the second stage, the licensee will be put in a regulatory sandbox.
- Finally, a ‘full-scale’ licence may be granted contingent on satisfactory performance.
- A digital bank will be required to have initial capital of ₹20 crore while in the regulatory sandbox.
- Upon progression from the sandbox, a full-stack digital business/consumer bank will be required to bring in ₹200 crore capital.

Global experience:

1. The UK has led the pack in terms of digital banks, with new entrants in the form of Monzo and Starling Bank.
2. Several jurisdictions in the South East Asian region have witnessed the rise of digital banks.
3. Hong Kong has issued separate licences for virtual banks.

4. As of May 2020, the Hong Kong Monetary Authority has licensed 8 entities out of 33 applications.
5. In South Korea, Kakao Bank and K Bank operate as internet banks licensed under the Banking Act.
6. The Philippines has approved six licenses for digital banks.

Source: Mint

SNIPPETS

❖ SCIENCE & TECHNOLOGY

Q) What is N-Treat Technology?

Context:

To prevent sludge and sewage from stormwater drains from flowing into the sea, Brihanmumbai Municipal Corporation (BMC) has planned in-situ treatment of sewage from the drains with the help of N-Treat Technology developed by IIT-B.

N-Treat technology:

- N-Treat is a seven-stage process for waste treatment that uses screens, gates, silt traps, curtains of coconut fibres for filtration, and disinfection using sodium hypochlorite.
- According to the detailed project report for N-Treat, it is a natural and environment-friendly way of sewage treatment.
- It's setup takes place within the nullahs channels that is through the in-situ or on-site method of treatment, and does not require additional space.

What does the process involve?

1) Screening

The first stage involves screening to prevent the entry of floating objects such as plastic cups, paper dishes, polythene bags, sanitary napkins, or wood. IIT-B has proposed to install three coarse screens, the first with 60 mm spacing for removal of large floating matter, the second with 40 mm spacing, and the third with 20 mm spacing.

2) Slit trap

The second stage has proposed construction of a silt trap, which creates an inclination and 'parking spot' on the bed of the nullah for sedimentation.

3) Bio zones

The next three stages are installation of 'bio zones' in the form of coconut fibre curtains that will act as filters and promote growth of biofilm to help in decomposition of organic matter. A floating wetland with aquatic vegetation planted on floating mats has been proposed.

4) Florrafts

- Aside from a floating bed on the surface, IIT-B has proposed suspending floating rafts vertically, called florrafts.

- Their hanging roots would provide a large surface area for passive filtration as well as development of microbial consortium.
- In the floating wetlands, plants acquire nutrition directly from the water column for their growth and development, thus reducing the organic as well as inorganic pollutants.
- The final stage for sewage treatment will include disinfection using sodium hypochlorite, to kill the bacteria in the water.

How will it be used by BMC?

- ✓ A senior civic official said: “BMC approached IIT-B to submit a Detailed Project Report for the project.
- ✓ The N-Treat method suggested to the civic body is cost-effective, as it does not require manual pumping, and saves electricity, and does not require extensive manpower for maintenance.”
- ✓ The floating matter will be removed daily, silt deposits from the silt traps will be removed once in four months, and plants will be trimmed as required.
- ✓ The floating matter collected every day will be disposed of at the nearest municipal waste collection point daily.

Source: Indian Express

Q) Consider the following statements about the Modhera Sun Temple.

1. It was built in the 11th century during the reign of Bhima I of the Chalukya dynasty.
2. It is built in the Maru-Gurjara Style of architecture.

Which of the following statement/s is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

 **Hey from Yesterday –**

Q) Which of the following statement/s is/are correct with respect to fertilizer import and export by India?

1. With respect to Muriate of Potash (MoP) fertilizer, India is completely dependent on imports.
2. With respect to Urea fertilizer, India enjoys self-sufficiency and is able to meet all demand through domestic production.

Options:

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Answer: a

Explanation:

- India has imported 7.74 lakh metric tonnes of fertilizers from Russia in the first three months of 2022. Out of the 7.74 lakh MT, urea comprised 47,000 MT. Therefore, statement 02 is incorrect.
- For muriate of potash (MoP), India is completely dependent on imports. India imported 24.60 lakh MTs of MoP in 2020-21.
- Major sources of muriate of potash are Israel and Lithuania.

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