

**DAILY  
CURRENT  
AFFAIRS  
ANALYSIS**



LAKSHYA ACADEMY®

**01 APRIL 2024**

# 1 - Assam Muslim Marriage Act repeal:

## GS II

### Government Policies and Interventions

- **Context:**

- Assam Repealing Ordinance 2024, which repeals the Assam Muslim Marriage and Divorce Registration Act of 1935, was recently adopted by the Assam government.
- Following the ruling, the Special Marriage Act of 1954 is the only legal avenue for Muslim marriage or divorce registration.

- **What is the Registration of Muslim Marriage and Divorce Act, 1935 in Assam?**

- The Act is compliant with the 1935 Muslim Personal Law. The procedure for registering Muslim marriages and divorces is outlined in the Act.
- The word "voluntary" in the original Act was changed to "compulsory" in 2010, making Muslim weddings and divorces in the state of Assam mandatory.
- The Act gives the state the authority to permit "any person, being a Muslim" to register marriages and divorces; Muslim registrars are considered to be employees of the government.
- It establishes the procedure for registering them as well as the means by which petitions for marriage and divorce may be submitted to the registrar.

- **What Motives the Assam Muslim Marriage and Divorce Registration Act of 1935 to be Repealed?**

- **Conformity to Modern Standards:**

- The Act was seen as being out of date and out of step with contemporary social mores. In contrast to current legal rules surrounding marriageable age, it permitted the registration of marriages in cases where the bride and groom had not attained the legal marriageable age of 18 or 21, respectively.

- **Strict Prohibition on Child Marriage:**

- This decision was made in conjunction with the government's continuous efforts to end child marriage. The government wants to end child marriage in Assam, thus it is deleting the Act, which had provisions permitting underage weddings to be recorded.

- **Informal and Authority Abuse:**

- Due to the act's provision of an unofficial marriage registration system, kazis—officials registered with the government who perform marriages—may have abused it.
- Reform is required in light of claims that minor marriages and divorces were enabled without the required grounds.

- **Transitioning to the Uniform Civil Code (UCC):**

- Removing the Act is also viewed as a step towards Assam adopting a Uniform Civil Code (UCC), following Uttarakhand's recent lead.
- The goal of the government is to unify marriage laws from many communities into a single legal structure.

- **What are the justifications against the Act's repeal?**

- The Act made marriage registration easy and decentralised, with 94 kazis located throughout the state. In contrast, the Special Marriage Act is complicated and can discourage some people from registering their weddings, especially the impoverished and illiterate.
- A variety of parties and attorneys, among others, criticised and challenged the Act in court.
- Concerns were voiced regarding the potential effects of total repeal, such as the possibility of a rise in unreported weddings.

- **Why has the Muslim Personal Law gained attention recently?**

- **Judicial Intervention and Legislative Reform:**

- Regarding issues pertaining to Muslim personal law, there have been major court interventions and legislative changes.
- Prominent legal cases like the Triple Talaq case (Shayara Bano v. Union of India) in 2017 and other instances have raised awareness of problems including polygamy, instant divorce, and women's rights in Muslim marriages.
- Discussions regarding the necessity of changing Muslim personal law to conform to the equality and justice ideals of the constitution have been sparked by these incidents.

- **The Rights of Women and Gender Justice:**

- Women's rights and gender justice have become more prominent issues in Muslim personal law.
- Discussions centre on topics like the practice of nikah halala, which requires a woman to marry and divorce another man before remarrying her former husband, and triple talaq, which permits husbands to immediately divorce their wives without going through the legal system.
- These actions have drawn criticism for treating women unfairly and discriminatorily.

- **Activism and Change in Society:**

- Muslim personal law is coming under more scrutiny as a result of shifting social attitudes and growing movement for gender equality.
- Women's rights activists, academics, and civil society groups have pushed for changes to Muslim personal law that would guarantee gender parity and safeguard women's rights concerning marriage, divorce, child support, and inheritance.

- **Political Organisation:**

- Political parties and interest groups have taken stances on issues like triple talaq and a consistent civil code, making Muslim personal law a contentious topic.
- Discussions about these topics frequently touch on more general political agendas, which increases public awareness and conversation.

- **Fundamentals of the Constitution:**

- Upholding the fundamental values of equality, justice, and non-discrimination in personal legal concerns is becoming increasingly evident.
- Calls for changes to Muslim personal law are sometimes couched in terms of constitutional rights and the requirement that all citizens, regardless of their religious affiliation, be treated equally.

- **What Personal Law Means in Islam?**

- **Regarding:**

- The laws governing the private affairs of Muslims are collectively referred to as Muslim Personal Law.
- These laws address a variety of personal matters, including as familial ties, inheritance, marriage, and divorce.
- Islamic jurisprudence, the Hadith (the sayings and deeds of Prophet Muhammad), and the Quran are the main sources of Muslim personal law.

- **Problems with Personal Laws in Islam:**

- According to Sharia, or Muslim personal law, men are permitted to engage in polygamy, which allows them to have up to four wives concurrently.
- A Muslim woman must undergo the "nikah halala" process, which entails marrying someone else and divorcing them before being permitted to remarry her ex-husband.
- By saying the Talaq once every three months, a Muslim man can get a divorce from his wife. We refer to this custom as Talaq-e-Hasan.

- By saying the word "talaq" (divorce) three times in any format, including an email or text message, a husband can legally divorce his wife under the terms of "triple talaq."
- In Islamic law, divorce is referred to as either talaq for men or khula for women. While a woman can divorce her husband through a "Khula," a male can end his relationship using a "talaq."
- **Use in India:**
  - In 1937, the Muslim Personal Law (Shariat) Application Act was created, attempting to provide Indian Muslims with an Islamic legal code.
  - The British, who were in charge of India at the time, made an effort to make sure that the Indian population was governed in accordance with their own cultural standards.
  - They outlined the principle that, in the case of Hindus, "clear proof of usage will outweigh the written text of the law" in order to distinguish between laws designed for Muslims and those made for Hindus. The writings in the Quran, however, would be of utmost significance to Muslims.
  - Therefore, since 1937, many facets of Muslim social life—such as marriage, divorce, inheritance, and family dynamics—have been governed by the Shariat Application Act.
  - The Act states that the state is not allowed to get involved in disputes involving private parties.
  - Individual Laws in Different Religions:
    - Guidelines on property inheritance between Hindus, Buddhists, Jains, and Sikhs are outlined in the Hindu Succession Act, 1956.
    - The Parsi Marriage and Divorce Act of 1936 establishes guidelines that Parsis must adhere to in accordance with their religious customs.
    - Hindu marriage rules were formalised in the Hindu Marriage Act of 1955.
- **The Way Ahead:**
  - To bring personal laws—including Muslim personal law—in line with contemporary social perspectives, a phased reform process is essential. This calls for thorough analysis, stakeholder discussions, and public awareness campaigns.
  - Constitutional principles should be upheld and religious diversity should be respected through legislative improvements.
  - Priorities include encouraging alternate conflict settlement procedures and strengthening women's agency and empowerment.
  - Effective reforms are ensured by bolstering institutional capacity and keeping an eye on implementation.

**Source → The Hindu**

## 2 - Bill to Amend the Temple Tax in Karnataka:

### GS II

#### Government Policies and Interventions

- **Context:**
- After passing both the State Legislative Assembly and the Council, the Karnataka Hindu Religious Institutions and Charitable Endowments (Amendment) Bill, 2024, will now be forwarded to the Governor for approval.
- The Karnataka Hindu Religious Institutions and Charitable Endowments Act (KHRI& CE), 1997 was to have certain provisions amended by the Bill.
- **Which aspects of the bill stand out the most?**
- **Modifications to the Tax System:**
- The Bill sought to change how Hindu temples were taxed.
- It suggested allocating 10% of gross income from temples earning more than Rs 1 crore per year to a shared fund for upkeep of the temples.
- 10% of net income was previously allotted to temples that made more than Rs 10 lakh each year.
- While gross income is the whole amount of money received by the temple, net income is determined by taking the earnings of the temple and deducting its expenses.
- Additionally, the Bill proposed adding 5% of temple earnings—between Rs. 10 lakh and Rs. 1 crore—to the common fund.
- With 87 temples earning more than Rs 1 crore and 311 temples earning more than Rs 10 lakh, these modifications would have brought in an extra Rs 60 crore.
- **Using the Common Fund:**
- The common fund may be used for philanthropic endeavours such as temple upkeep, religious research, and dissemination.
- The 1997 Act was amended in 2011 to establish the common fund pool.
- **Membership of the Management Committee:**
- The Bill proposed expanding the "committee of management" of temples and religious organisations to include a member with expertise in Vishwakarma Hindu temple construction and sculpture.

- Temples and other religious institutions must establish a "committee of management" with nine members, including a priest, two women, one resident of the institution's community, and at least one member of a Scheduled Caste or Scheduled Tribe, in accordance with Section 25 of the KHRI& CE 1997 Act.
- **Parishat Rajya Dharmika:**
  - The Bill gave the Rajya Dharmika Parishat the authority to name committee chairs, deal with matters pertaining to religious conflicts, determine the status of temples, and select trustees. It also required district and state committees to be established in order to supervise infrastructure projects for temples that brought in more than Rs 25 lakh a year.
- **What worries people about the bill?**
  - Due to its exclusive application to Hindu temples and exclusion of other places of worship, the Bill may also be challenged on the grounds of discrimination.
  - Article 14 of the Constitution, which forbids arbitrary and unjustifiable governmental action and ensures equality before the law and equal protection under the law, may also be used as grounds to scrutinise the Bill.
  - Opponents claimed that such meddling might violate the rights guaranteed by Article 25 of the Constitution.
  - The freedom to profess, practise, and spread one's religion is guaranteed by Article 25, subject to laws governing public health, morals, and order.
  - Article 25(2)(a) gives the State the authority to control or prohibit any religious practice's financial, political, or economic activities, as well as any other secular activity.
  - Concerns were also expressed about a possible infringement on rights protected by Article 26.
  - Article 26 gives religious denominations the freedom to run their own organisations for philanthropic and religious reasons as well as administer their own religious affairs.
  - It is believed that the bill will cause the Rajya Dharmika Parishath, who was chosen by the government, to become corrupt and mismanage temple assets and cash.
  - The opposition criticised it, claiming that the government had overreached itself and was financially abusing the temples.

**Source → The Hindu**

### 3 - Leopards' situation in India in 2022:

#### GS III

#### Environmental Conservation

- **Context:**

- A report on the status of leopards in India through 2022 has been produced by the Ministry of Environment, Forests, and Climate Change. The study focused on roughly 70% of the species' predicted range and encompassed 20 states in India.
- In honour of Project Tiger's 50th anniversary, the Union Government recently approved the creation of the International Big Cat Alliance (IBCA), which would have its headquarters in India and receive a one-time budgetary contribution of Rs. 150 crore for a five-year period beginning in 2023–2028.

- **Which aspects of the report on the status of leopards in India in 2022 stand out the most?**

- **Total population:**

- The number of leopards in India increased by 8% between 2018 and 2022, from 12,852 to 13,874.
- In the Shivalik landscape, about 65 percent of the leopard population lives outside of protected areas. Just over one-third of leopards live in protected areas.
- The outermost range of the Himalayas, referred to as the Shivalik Hills or the Shivalik Range, is referred to as the Shivalik landscape. This range encompasses sections of Jammu and Kashmir, Uttarakhand, Himachal Pradesh, Haryana, Punjab, and several other northern Indian states.

- **Variation by region:**

- The number of leopards in Central India is either stable or slightly increasing (2018: 8071, 2022: 8820), whereas the Shivalik hills and Gangetic plains saw a fall (2018: 1253, 2022: 1109).
- The Shivalik hills and Gangetic plains experience an annual fall of 3.4%, whilst Central India and the Eastern Ghats experience the highest growth rate of 1.5%.



- **Distribution at the state level:**

- The states with the most leopards are Madhya Pradesh (3,907), Maharashtra, Karnataka, and Tamil Nadu.
- The population of leopards decreased from 839 in 2018 to 652 in 2022 in Uttarakhand, and from 760 in Odisha to 562 in 2022.
- Goa, Bihar, Telangana, Chhattisgarh, Kerala, and Chhattisgarh all reported declining populations.

- **Advantages Of Conservation Efforts To Save Tigers:**

- The greatest population of leopards is found in the Eastern Ghats and Central India, and it is increasing as a result of conservation efforts aimed at preserving tigers.
- Despite the regulatory strain that tigers place on leopards, the paper emphasises that leopard numbers are higher in Tiger Reserves than in places outside of Protected places.

- **Regular Dangers:**

- Common hazards include habitat degradation from mining and other human activity, targeted poaching for tiger and leopard skins and body parts, and hunting of wildlife for bush meat.
- Between 2018 and 2023, up to 59 leopard skins were taken from wildlife traffickers in Odisha.
- Road accidents also account for a large portion of leopard fatalities.

*Source → The Hindu*

## **4 - War Against Single-Use Plastics in India:**

### **GS III**

#### **Environmental Conservation:**

- **Context:**

- Three years after making the commitment to phase out single-use plastics (SUP), India is still facing difficulties despite modest success with the ban on particular SUP items.
- A paper presented at the 6th United Nations Environmental Assembly (UNEA-6) claims that single-use plastics are crucial to the flourishing street food industry in India.

- **What are the main points of the SUP report that was released at UNEA-6?**
- **The Street Food Industry's Dependency on SUP:**
  - In India's street food industry, single-use plastics like plates, bowls, cups, and containers are widely used. These products are reasonably priced, but they nonetheless make a big difference in the nation's waste management problems.
- **Advantages of the reuse system: the results show that the reuse system has an appealing business case with a number of advantages:**
  - Lower expenses: Costs are lowered for both customers and vendors.
  - Waste reduction: The technique drastically lowers the required quantity of packing materials.
  - Financial viability: A possible 21% return on investment with a two to three year payback period is highlighted in the research.
  - Other aspects to consider: Government incentives, deposit quantities, retention times, rates of return, and material selection are critical for maximising the efficiency of the system.
- **Suggestions:**
  - Implementing a reusable packaging technique in India's street food industry offers a mutually beneficial outcome.
  - It benefits all stakeholders and paves the path for a more robust and sustainable future for Indian cities because it is both economically and environmentally viable.
- **Single-use plastic: what is it?**
  - A “plastic item intended to be used once for the same purpose before being disposed of or recycled” is what is meant by this phrase.
  - Among the most common types of plastic produced and consumed are single-use items, such as food packaging, cling film, garbage bags, face masks, coffee cups, polythene bags, and bottles (shampoo, detergents, and cosmetics).
  - It has been estimated that by 2050, 5–10% of greenhouse gas emissions may come from single-use plastic if present manufacturing trends continue.
- **What is the state of single-use plastics at the moment?**
- **Part of Single-Use Plastic Items Banned:**
  - India prohibited 19 specific single-use plastic products in 2021, however it did not address the larger range of single-use plastics that are still in use.

- Roughly 0.6 million tonnes of single-use plastic products are prohibited annually.
  - The Ministry of Environment, Forests and Climate Change (MOEFCC) implemented the Extended Producer Responsibility (EPR) policy in 2022, which applies to the remaining single-use plastic items, which primarily consist of packaging products.
  - The EPR policy sets targets for collection and recycling, however it ignores the fact that certain single-use plastics, including multilayered packaging, cannot be recycled and are instead prohibited.
- **The percentage of plastic produced in India:**
    - India was the world's thirteenth-largest investor in the manufacture of single-use plastic polymers, according to the Plastic Waste Makers Index 2019 study.
    - India came in third place in the world with 5.5 million tonnes of single-use plastic (SUP) garbage produced year, and it came in 94th place with 4 kg of waste per person annually. This means that the country's prohibition on SUP accounts for about 11% of all single-use plastic waste.
- **India's Poor Handling of Plastic Waste:**
    - According to country-specific plastic data from the UNEP, 85% of India's plastic trash is improperly managed.
    - This trash, which is primarily single-use, is burned or abandoned at roadside, clogging drains and running into rivers before dispersing into the ocean, where it damages marine life either directly or indirectly as it breaks down into tiny and nanoparticles over the course of months, years, and decades.
- **What Difficulties Exist in Combating Single-Use Plastic?**
    - **Absence of substitutes:**
      - The scarcity of practical substitutes for single-use plastics is one of the main obstacles to their gradual replacement.
      - While there are some substitutes, switching from single-use plastics to alternatives may be challenging for consumers and businesses since they may not be as affordable, practical, or easily accessible.
    - **Financial Aspects:**
      - Because they are more convenient and affordable, single-use plastics are frequently chosen. Making the switch to alternatives would necessitate spending money on infrastructure, R&D, and other areas that are expensive for governments and companies alike.
      - Furthermore, buyers might not be prepared to shell out more money for substitute goods.

- **Facilities:**

- Having a sufficient infrastructure for waste management is crucial to controlling plastic recycling and disposal. Unfortunately, a lot of places lack the infrastructure needed for effective trash management, especially in developing nations. This results in plastic pollution and environmental deterioration.

- **Regulation and Policy:**

- Although some governments have put laws in place to limit the use of single-use plastics, it can be difficult to police and comply with them.
- Additionally, businesses that depend on single-use plastics and customers who are used to their ease can oppose them.

- **Customer Conduct:**

- Reducing the usage of single-use plastics requires a shift in consumer attitudes and behaviour.
- This can be challenging to accomplish, though, because habits are hard to break and people might not be aware of how single-use plastics affect the environment.

- **Effect on Earnings:**

- Prohibitions or limits on single-use plastics can occasionally have unanticipated effects on people's ability to make a living, especially for those who work in sectors of the economy that depend on the manufacture or distribution of these materials.
- The socioeconomic effects of eliminating single-use plastics must be taken into account, and impacted people and communities must be supported.

- **What Actions Can Be Taken to Address the Single-Use Plastic Issue?**

- **Implement Laws:**

- Educate officials on what to look for during inspections, especially those who are issuing challans. Provide gauge metres and other devices to inspection teams. Make sure that many facilities are reporting on the inspection scale.

- **Mandatory Public Disclosure of Ecological Adherence:**

- Local governments and states should be required by the MOEFCC and CPCB (Central Pollution Control Board) to post quarterly reports on their websites that include details on environmental compensation, closed units, and fines.
- Additionally, states must provide the CPCB with enforcement reports every two weeks. In compliance with the Plastic Waste Management Rules, 2016, the CPCB should make sure that this information appears in its Annual Report and disseminates data gathered from state and private entities.

- **Put an end to the Micron business:**

- Carry bags ought to be prohibited regardless of their thickness. Successful implementation of this strategy has been observed in nations with weaker economies than India, like Tanzania and Rwanda, among other East African nations.
- By virtue of the Non-biodegradable Garbage Control Act of 1998, the Indian state of Himachal Pradesh has outright prohibited the manufacture, distribution, storage, and use of carry bags.
- This policy is not merely a document on paper; it has been widely enforced throughout the state of Himachal Pradesh.

- **Invest in Alternative SUP Markets:**

- The lack of substitutes is a significant barrier to abandoning SUP. When convenient and affordable choices become widely available, the market will shift.
- Substitutes are scarce at the moment, though. The government's historical failure to support the alternative industry and its attempts at both federal and state prohibitions are the main causes of this scarcity.

- **What Approaches Do Other Nations Take to SUP?**

- **Resolution of Signs:**

- A resolution to draft a legally enforceable agreement addressing the complete life of plastics from manufacture to disposal, with the goal of ending plastic pollution, was signed by 124 parties to the United Nations Environment Assembly in 2022, including India.
- There were plastic bag bans in 68 nations as of July 2019, however they were not always equally enforced.
- India's fight against single-use plastics requires coordinated action by decision-makers in the public sector, business partners, and individuals. Even while progress has been achieved, there are still gaps in infrastructure, awareness, and enforcement. India has the potential to alleviate the

negative consequences of single-use plastics and create a more environmentally friendly future by adopting sustainable solutions and giving priority to preventive efforts.

*Source → The Hindu*



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