

**DAILY
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ANALYSIS**



LAKSHYA ACADEMY®

04 DECEMBER 2024

1 - Landmark SC Ruling: Maintenance Rights for Divorced Muslim Women:

GS II

Indian Judiciary:

- **Petitioner's Argument:**

- The petition was filed by a Muslim man who contested an interim maintenance order directed to be paid to his divorced wife under Section 125 CrPC.
- He argued that the Muslim Women (Protection of Rights on Divorce) Act, 1986, should take precedence over Section 125 CrPC due to its specialized provisions for maintenance.
- The petitioner asserted that the 1986 Act, being a special law, supersedes the general provisions of Section 125 CrPC, as it includes comprehensive maintenance regulations.
- According to the petitioner, Sections 3 and 4 of the 1986 Act, which include a non-obstante clause, assign the authority to First Class Magistrates to handle matters related to Maher (mandatory gift given by the husband to his wife at marriage) and subsistence allowances.
- He further claimed that family courts do not have jurisdiction over these matters and emphasized the necessity of an affidavit from the wife opting for CrPC provisions over the 1986 Act, as stipulated by Section 5.
- The petitioner argued that the specific provisions of the 1986 Act impliedly repealed Section 125 CrPC for Muslim women, preventing them from seeking relief under it.
- Overview of the Muslim Women (Protection of Rights on Divorce) Act, 1986

- **Purpose:**

- Enacted to safeguard the rights of Muslim women who have been divorced by, or obtained divorce from, their husbands.
- This Act provides for matters connected with or incidental to the protection of these rights.

- **Historical Context:**

- The Act was a response to the 1985 Supreme Court judgment in *Mohd. Ahmad Khan vs. Shah Bano Begum*, which held that Section 125 of the CrPC is a secular provision applicable to all, irrespective of religion.
- The right to maintenance under CrPC is not negated by personal law provisions.

- **Key Provisions:**

- A divorced Muslim woman is entitled to reasonable and fair provision and maintenance from her former husband, to be paid within the iddat period (a waiting period of about three months post-divorce or death of the husband).
- The Act also mandates the payment of mahr (dower) and the return of properties given to the woman at marriage.
- It allows a divorced woman and her former husband to opt for the provisions of Sections 125 to 128 of the CrPC, 1973, through a joint or separate declaration at the first hearing of the application.

- **Judicial Interpretations:**

- The Supreme Court's 2001 judgment in *Danial Latifi & Another vs Union Of India* upheld the constitutional validity of the 1986 Act, asserting that its provisions do not violate Articles 14, 15, and 21 of the Constitution of India.
- This judgment extended the right of Muslim women to receive maintenance until they remarry, beyond the iddat period.
- In *Shabana Bano v. Imran Khan*, 2009, the SC reiterated that divorced Muslim women could claim maintenance under Section 125 CrPC even beyond the iddat period, as long as they do not remarry.

- **Section 125 of the Criminal Procedure Code (CrPC):**

- **Mandates:**

- A First Class Magistrate may order a person with sufficient means to make a monthly allowance for the maintenance of:
 - His wife, if she is unable to maintain herself.
 - His legitimate or illegitimate minor child, whether married or not, unable to maintain itself.
 - His legitimate or illegitimate adult child with physical or mental abnormalities or injuries that render them unable to maintain themselves.
 - His father or mother, unable to maintain themselves.

- **Supreme Court Observations:**

- The SC held that Section 125 CrPC applies to all women, not just married women, emphasizing its universal applicability.
- The judgment reaffirmed the rights of divorced Muslim women to claim maintenance under Section 125 CrPC, ensuring legal parity and safeguarding constitutional guarantees of equality and non-discrimination.
- The SC dismissed the appeal, asserting that Muslim women can seek maintenance under Section 125 CrPC despite the existence of the 1986 Act.
- The Court clarified that Section 3 of the 1986 Act, starting with a non-obstante clause, does not restrict the application of Section 125 CrPC but provides an additional remedy.
- The Court affirmed that divorced Muslim women, including those divorced through triple talaq (now deemed illegal), can claim maintenance under Section 125 CrPC irrespective of personal laws.
- Triple talaq has been declared void by the SC and criminalized by the Muslim Women (Protection of Rights on Marriage) Act 2019.

- **Conclusion/Way Forward:**

- This landmark ruling by the Supreme Court reinforces the rights of divorced Muslim women to seek maintenance under Section 125 CrPC, emphasizing the importance of secular law in safeguarding their rights. The judgment ensures that divorced Muslim women are entitled to maintenance, promoting equality and non-discrimination in line with constitutional values. Moving forward, this decision underscores the need for continued judicial oversight to protect the rights of women across all communities, ensuring that personal laws do not undermine constitutional guarantees.

- **Source** → *The Hindu*

2 - India-Russia Annual Summit:

GS II

International Relations:

- **Diplomatic Achievements:**

- High Civilian Honour: President Vladimir Putin conferred the "Order of Saint Andrew the Apostle," Russia's highest civilian honour, on Prime Minister Narendra Modi.
- Established by Tsar Peter the Great in 1698 and reinstated in 1998.
- Features a double-headed eagle emblem and a light blue silk moire ribbon.
- Named after Saint Andrew, the patron saint of Russia and Scotland, recognized for spreading Christianity across Europe and Asia.
- Honour awarded to PM Modi for enhancing the strategic partnership and friendly relations between Russia and India; announced in 2019.
- Previous recipients include Chinese President Xi Jinping and former Kazakh President Nursultan Nazarbayev.

- **Economic Cooperation:**

- Bilateral Trade Target: New target set at USD 100 billion by 2030, a significant increase from the previous USD 30 billion by 2025.
- Boosted by India's increased imports of discounted Russian crude oil post-US and Europe sanctions on Russia.
- Programme-2030: Agreement to prepare a comprehensive program to develop promising areas of economic cooperation.
- Coordinated by the India-Russia Intergovernmental Commission on Trade, Economic, Scientific, Technical and Cultural Cooperation (IRIGC-TEC).
- IRIGC-TEC is the apex G2G forum for bilateral economic cooperation.
- Free Trade Agreements: Commencement of negotiations for a Free Trade Agreement on goods between India and the Eurasian Economic Union.
- Exploration of a bilateral free-trade agreement in services and investments.
- Business Participation: Encouragement for Russian businesses to participate in India's "Make in India" and "Atmanirbhar Bharat" programs and for Indian companies to invest in Russia.

- **Defence and Technology:**

- Joint Development: Transition from a buyer-seller relationship to joint research, development, co-development, and joint production of advanced defence technology and systems.

- Includes joint manufacturing of spare parts and components for Russian-origin arms and defence equipment in India under the Make-in-India program.
- Establishment of joint ventures for meeting the needs of the Indian Armed Forces and subsequent export to friendly third countries.
- Creation of a new Working Group on Technological Cooperation for discussions in the next IRIGC-M&MTC meeting.
- Military Recruits: Acceptance by President Putin of PM Modi's request to discharge Indian military recruits serving in the Russian military on the Ukrainian war front wishing to return to India.
- Russian law allows the recruitment of foreign soldiers after thorough screening, including mental and physical checks.

- **Transport and Connectivity:**

- Eurasian Transport Corridors: Focus on developing stable and efficient transport corridors in Eurasia, including the Chennai-Vladivostok Eastern Maritime Corridor and the International North-South Transport Corridor (INSTC).
- Chennai-Vladivostok Maritime Corridor aims to transport various types of cargo and reduce transportation time to Russia by 40%.
- INSTC, established in 2000, connects the Indian Ocean and the Persian Gulf to the Caspian Sea via Iran, extending to St. Petersburg and Northern Europe via Russia.
- Joint efforts to increase infrastructure capacity and utilize the Northern Sea Route, aiming to reduce time and cost of cargo transportation and enhance connectivity in the Eurasian space.

- **International Cooperation:**

- UN Security Council: Russia appreciated India's non-permanent membership in the UN Security Council (2021-22) and supported India's bid for permanent membership in a reformed and expanded UN Security Council.
- BRICS and Other Forums: India expressed support for Russia's BRICS Chairship in 2024 under the theme "Strengthening Multilateralism for Just Global Development and Security."
- Emphasis on close cooperation in international forums like the UN, G20, BRICS, and SCO to revitalize multilateralism.
- Global Alliances: India's anticipation of Russia joining the International Solar Alliance (ISA), Coalition for Disaster Resilient Infrastructure (CDRI), and International Big Cat Alliance (IBCA).

- **Global Issues:**

- Climate Change: Commitment to combating climate change and achieving the goals of the UNFCCC and the Paris Agreement through cooperation on low-carbon development and green financing.
- Multipolar World Order: Emphasis on the need for a multipolar world order and the development of a security architecture in the Eurasian, Indian, and Pacific ocean regions.

- **Counter Terrorism:** Leaders condemned terrorism and violent extremism, including cross-border movement of terrorists and terrorism financing networks.
- Commitment to multilateral cooperation in combating transnational organized crime, money laundering, terrorist financing, and drug trafficking.

- **Factors Contributing to Russia's High-Income Status:**

- **Economic Growth Across Sectors:**

- **World Bank Classification:** The World Bank classifies countries based on their GNI per capita, expressed in USD using the Atlas method (accounting for purchasing power parity).
- As of July 2024, the high-income threshold is USD 14,005, which Russia crossed in 2023 with a GNI per capita of USD 14,250.
- **Sectoral Growth:** Significant growth in trade (+6.8%), financial sector (+8.7%), and construction (+6.6%) contributed to real (3.6%) and nominal (10.9%) GDP growth.
- **Military Spending:** Increased military-related activities in 2023 bolstered economic activity, though sustainability is questioned.
- **Trade Diversification:** Shift in trade patterns due to Western sanctions, increasing transactions with China, India, Türkiye, Central Asia, and the South Caucasus.
- **Energy Sector Resilience:** Steady export volumes despite sanctions, leveraging global oil prices and strategic trade diversification.
- **Fiscal Stimulus:** Government initiatives, including fiscal stimulus and increased defence spending (7% of GDP), supported economic growth.
- **Consumer Spending:** Low unemployment, rising wages, and strong private consumption contributed to economic stability and growth.
- **Adaptation to Sanctions:** Russia adapted its economic policies and infrastructure investments to mitigate challenges posed by sanctions since 2014.

- **World Bank's Country Income Classification:**

- **About:** The World Bank assigns economies to four income groups based on GNI per capita using the Atlas method.
- Classifications are updated annually on 1st July based on the previous year's GNI per capita.
- Aims to reflect a country's level of development using Atlas GNI per capita as an indicator of economic capacity.

- **Classification Thresholds:**

- Low-income: USD 1,145 or less.
- Lower-middle-income: USD 1,146 to USD 4,515.
- Upper-middle-income: USD 4,516 to USD 14,005.
- High-income: More than USD 14,005.

- **Regional Highlights:**

- South Asia: Low-income countries reduced from 100% in 1987 to 13% in 2023.
- India: Classified as a lower-middle-income country since 2007, with a GNI per capita of approximately USD 10,030 in 2023.
- Middle East and North Africa: Low-income countries increased from 0% in 1987 to 10% in 2023.
- Latin America and the Caribbean: High-income countries increased from 9% in 1987 to 44% in 2023.
- Europe and Central Asia: High-income countries slightly decreased from 71% in 1987 to 69% in 2023.

- **Conclusion/Way Forward:**

- The 22nd India-Russia Annual Summit marked a significant step in strengthening the strategic partnership between the two nations. The summit not only highlighted diplomatic achievements and economic cooperation but also focused on defence and technological advancements, transport and connectivity initiatives, and international cooperation on global issues. Moving forward, the partnership between India and Russia is poised to play a crucial role in shaping a multipolar world order, enhancing bilateral trade, and promoting sustainable development in the Eurasian region. The commitment to combating climate change, countering terrorism, and fostering multilateral cooperation underscores the strategic depth of this enduring relationship. ®

- *Source → The Hindu*

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3 - Criteria for Classical Language Status: Recent Developments and Implications:

GS II

Government Policies and Interventions:

- **Understanding Classical Languages:**

- **Definition:**

- Introduced in 2004, the concept of classical languages was created by the Government of India.
- The criteria for conferring this status were established in 2006.
- Currently, six languages hold this status.

- **Criteria for Classical Language Status:**

- High antiquity of early texts/recorded history spanning 1,500–2,000 years.
- Possession of a body of ancient literature/texts considered valuable heritage by generations.
- Presence of an original literary tradition not borrowed from another speech community.
- The classical language and literature must be distinct from modern forms, potentially with a discontinuity between the classical and later forms or its offshoots.

- **Benefits of Classical Language Status:**

- Financial assistance for setting up a centre of excellence for the study of the language.
- Eligibility for two major awards for eminent scholars.
- Possibility for the University Grants Commission to establish professional chairs for classical language scholars, starting with central universities.

- **Recent Developments:**

- The Central government, following recommendations from the Linguistics Expert Committee, has decided to revise the criteria for classical language status.
- The Linguistics Expert Committee includes representatives from the Union Ministries of Home, Culture, and several linguistic experts, chaired by the president of the Sahitya Akademi.
- The new criteria will be officially notified once approved by the Union Cabinet.
- This revision has delayed the consideration of languages like Marathi for classical status.
- Other language groups, including Bengali and Tulu, have also demanded classical language classification.

- The National Education Policy-2020 emphasizes preserving the literature of Pali, Persian, and Prakrit.
- **Arguments for Inclusion of Various Languages:**
- **Bengali:**
 - Classified as a Modern or New Indo-Aryan language of the Indo-European language family.
 - Bengali literature features alphabets and terms from as early as the 10th century AD.
 - Research suggests Bengali's origin dates back 2,500 years, with written evidence from the 3rd-4th BCE.
 - Maintains its fundamental syntactic structure and distinct morphological and phonological patterns since at least the 3rd BCE.
- **Tulu:**
 - A Dravidian language spoken mainly in Karnataka's Dakshina Kannada and Udupi districts, and Kerala's Kasaragod district.
 - Scholars indicate Tulu separated from the original Dravidian languages around 2,000 years ago.
 - Mentioned in Tamil Sangama Literature and Greek Mythology.
 - Rich in oral literature with folk-song forms like paddana and traditional folk theatre yakshagana.
- **Constitutional Provisions Related to Language:**
- **Eighth Schedule:**
 - Promotes the progressive use of Hindi and its enrichment.
 - Article 344(1) establishes a Commission for the progressive use of Hindi for official purposes.
 - Article 351 mandates the Union to promote the spread of Hindi.
- **Languages in the Eighth Schedule:**
 - Initially included 14 languages.
 - Additions: Sindhi (1967), Konkani, Manipuri, Nepali (1992), Bodo, Dogri, Maithili, Santhali (2004).
- **Demands for Inclusion:**
 - Currently, there are demands for the inclusion of 38 more languages in the Eighth Schedule.
- **Present Status:**

- The government is considering the inclusion of new languages in line with recommendations from the Pahwa (1996) and Sitakant Mohapatra (2003) Committees.
- **Way Forward:**
- The revision of the criteria for classical language status reflects the dynamic nature of language evolution. Ensuring that deserving languages are recognized will not only preserve cultural heritage but also promote academic and scholarly pursuits. As the government moves forward with these revisions, it must balance historical evidence with contemporary linguistic research to make inclusive and fair decisions.
- *Source → The Hindu*

4 - 51,200-Year-Old Cave Painting Unearthed: A Glimpse into Ancient Artistic Traditions:

GS I

Culture related topics:

- **Key Observations about the Painting:**
- **Artistic Representation:**
- Central Figure: A pig depicted standing still with its mouth partially open.
- **Human-like Figures:**
- Largest Figure: Positioned with outstretched arms, gripping a rod.
- Second Figure: Located in front of the pig, holding a stick.
- Third Figure: Upside-down, with legs pointing upwards and one hand reaching toward the pig's head.
- **Technique Used in Dating:**
- Dating Method: Researchers utilized uranium series (U-series) analysis on calcite deposits found in limestone caves to date the rock art.
- **Process:**
- Laser beams were used to compare the ratios of specific uranium isotopes to thorium isotopes.

- This method was previously applied to another cave painting at Leang Bulu' Sipong 4, originally estimated to be 43,900 years old, now found to be at least 4,000 years older.
- **Significance:**
 - The dating technique reveals that figurative art depicting humans and animals has more ancient origins than previously believed.
 - This discovery underscores the sophisticated narrative traditions of early humans, who used visual arts to represent relationships between humans and animals.
- **Comparative Analysis: Bhimbetka Rock Paintings:**
- **Location and Discovery:**
 - Location: Situated south of Bhopal in the Vidhyan ranges of Madhya Pradesh.
 - Discovery: The caves were identified by V. S. Wakankar in 1957–58.
 - UNESCO Recognition: Declared a UNESCO World Heritage Site in 2003.
- **Timeline and Continuity:**
 - Oldest Paintings: Estimated to be around 30,000 years old, preserved due to their deep cave locations.
 - Occupancy: Continuous habitation from 100,000 BC to 1000 AD, with multiple layers of paintings.
 - Period Representation: The paintings span from the Upper Paleolithic to the medieval period, predominantly from the Mesolithic age.
- **Painting Techniques and Themes:**
 - **Colours Used: Natural sources provided a variety of colors:**
 - Red: Haematite ores.
 - White: Likely from Limestone.
 - Green: Derived from Chalcedony.
 - Brushes: Crafted from plant fibers.
 - **Themes:**
 - Everyday life, depicted through stick-like human figures.
 - Various animals, including elephants, bison, deer, peacocks, and snakes.
 - Scenes of hunting and warfare, alongside simple geometric designs and symbols.
- **Significance and Way Forward:**

- **Cultural Insights:** This discovery sheds light on the advanced cultural practices of early humans, suggesting a long-standing tradition of visual storytelling.
- **Neanderthal Comparisons:** While Neanderthals began marking caves around 75,000 years ago, their art was non-figurative, contrasting with the sophisticated figurative art found in Sulawesi.
- **Future Research:** Continued application of advanced dating techniques could uncover further insights into the timeline and development of prehistoric art globally.
- **Preservation Efforts:** Protecting these invaluable artworks is crucial for future generations to understand and appreciate the rich cultural heritage of our ancestors.
- This discovery not only broadens our understanding of prehistoric art but also emphasizes the intricate connections between early humans and their environment, as depicted through their artistic expressions.
- *Source → The Hindu*

5 - India's Balance of Payments: Understanding Economic Dynamics:

GS III

Indian Economy:

- **What is Balance of Payments?**
- **Overview:** The Balance of Payments (BoP) serves as a vital economic indicator, meticulously detailing all financial transactions between India and the global economy.
- **Tracking Transactions:** It comprehensively monitors the inflow and outflow of money, where inflows denote positives and outflows negatives, thereby reflecting India's economic interactions worldwide.
- **Impact:** BoP data influences currency exchange rates, sovereign ratings, and overall economic stability.
- **Constituents of BoP:**
- **Current Account:**
- **Trade of Goods:** Tracks physical imports and exports, indicating trade balance. India experienced a trade deficit in Q4 2023-24.
- **Trade of Services (Invisibles):** Includes sectors like IT, tourism, and remittances, contributing positively to India's current account despite trade imbalances.
- **Capital Account:**

- Captures investments such as Foreign Direct Investment (FDI) and Foreign Institutional Investments (FII), crucial for economic growth.
- India reported a net surplus of USD 25 billion on the capital account in Q4 2023-24.
- **Understanding Disequilibrium:**
- BoP Surplus vs. Deficit: A surplus occurs when earnings exceed expenditures, while a deficit signals higher expenditures than earnings, necessitating external financing.
- **Challenges and Management:**
- Complexities: BoP calculations involve errors and omissions, impacting accurate recording of international transactions.
- **Management Strategies:**
- Foreign Exchange Reserves: Managed by RBI through market interventions and tools like interest rate adjustments and open market operations.
- Policy Interventions: Governments implement trade policies and regulations to stabilize BoP dynamics and ensure sustainable economic growth.
- Foreign Investment Prom: Enhancing capital account through incentives, infrastructure improvement, and regulatory reforms to attract foreign capital and technology.
- **Conclusion and Way Forward:**
- India's recent BoP achievements underscore its evolving economic resilience amidst global dynamics. Moving forward, continued vigilance in managing trade deficits, promoting foreign investments, and strategic policy interventions will be crucial. This balanced approach not only enhances economic stability but also strengthens India's position in the global economic arena.
- *Source → The Hindu*