



## Current Affairs of the Day

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## 6 months later, MHA yet to frame rules on CAA

- More than six months after the **Citizenship (Amendment) Act (CAA), 2019**, was passed by Parliament, the Ministry of Home Affairs (MHA) is yet to frame rules or inform Parliament about the delay in doing so. Without rules being notified, the Act cannot come into force or be implemented.
- The Parliamentary Standing Committee on Subordinate Legislation, which has not received any communication from the MHA, has decided to write to the Ministry on the status of the CAA rules.
- The CAA was passed by Parliament on December 11, 2019, and given the President of India's assent the next day, December 12, 2019.

### Value Added Information

#### What is Citizenship?

- Citizenship defines the relationship between the nation and the people who constitute the nation.
- It confers upon an individual certain right such as protection by the state, right to vote and right to hold certain public offices, among others, in return for the fulfilment of certain duties/obligations owed by the individual to the state.

#### Citizenship in India:

- The Constitution of India provides for single citizenship for the whole of India.
- Under Article 11 of the Indian Constitution, Parliament has the power to regulate the right of citizenship by law. Accordingly, the parliament had passed the Citizenship act of 1955 to provide for the acquisition and determination of Indian Citizenship.
- Entry 17, List 1 under the Seventh Schedule speaks about Citizenship, naturalization and aliens. Thus, Parliament has exclusive power to legislate with respect to citizenship.
- Until 1987, to be eligible for Indian citizenship, it was sufficient for a person to be born in India.
- Then, spurred by the populist movements alleging massive illegal migrations from Bangladesh, citizenship laws were first amended to additionally require that at least one parent should be Indian.



- In 2004, the law was further amended to prescribe that not just one parent be Indian; but the other should not be an illegal immigrant.

### Who is an illegal migrant in India?

- Under the Act, an illegal migrant is a foreigner who:
- Enters the country without valid travel documents like a passport and visa, or
- Enters with valid documents, but stays beyond the permitted time period.
- Illegal migrants may be put in jail or deported under the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920.

### The scenario before the passing of the Act:

- Under the existing laws, an illegal migrant is not eligible to apply for acquiring citizenship. They are barred from becoming an Indian citizen through registration or naturalisation.
- The Foreigners Act and the Passport Act debar such a person and provide for putting an illegal migrant into jail or deportation.
- A person can become an Indian citizen through registration.
- Section 5 (a) of Citizenship act of 1955: A person of Indian origin who is ordinarily resident in India for seven years before making an application for registration;
- And they should have lived in India continuously for 12 months before submitting an application for citizenship.
- Under the Citizenship Act, 1955, one of the requirements for citizenship by naturalization is that the applicant must have resided in India during the last 12 months, as well as for 11 of the previous 14 years.

### What the Act intends to do?

- The Citizenship Amendment Act 2019 aims to make changes in the Citizenship Act, the Passport Act and the Foreigners Act if the illegal migrants belong to religious minority communities from three neighbouring countries of Bangladesh, Pakistan and Afghanistan.



- Simply put, the Citizenship Amendment Act will grant the illegal non-Muslim migrants the status of legal migrants despite them having come to India without valid documents and permission.

### Features of CAA 2019:

- The Act seeks to amend the Citizenship Act, 1955 to make Hindu, Sikh, Buddhist, Jain, Parsi, and Christian illegal migrants from Afghanistan, Bangladesh, and Pakistan, eligible for citizenship of India. In other words, the Act intends to make it easier for non-Muslim immigrants from India's three Muslim-majority neighbours to become citizens of India.
- The legislation applies to those who were "forced or compelled to seek shelter in India due to persecution on the ground of religion". It aims to protect such people from proceedings of illegal migration.
- The amendment relaxes the requirement of naturalization from 11 years to 5 years as a specific condition for applicants belonging to these six religions.
- The cut-off date for citizenship is December 31, 2014, which means the applicant should have entered India on or before that date.

### The Act says that on acquiring citizenship:

- Such persons shall be deemed to be citizens of India from the date of their entry into India, and
- All legal proceedings against them in respect of their illegal migration or citizenship will be closed.
- It also says people holding Overseas Citizen of India (OCI) cards – an immigration status permitting a foreign citizen of Indian origin to live and work in India indefinitely – can lose their status if they violate local laws for major and minor offences and violations.

### Exception:

- The Act adds that the provisions on citizenship for illegal migrants will not apply to the tribal areas of Assam, Meghalaya, Mizoram, and Tripura, as included in the Sixth Schedule of the Constitution.



- These tribal areas include Karbi Anglong (in Assam), Garo Hills (in Meghalaya), Chakma District (in Mizoram), and Tripura Tribal Areas District.
- It will also not apply to the areas under the Inner Line Permit under the Bengal Eastern Frontier Regulation, 1873.

## India will never be a part of an alliance system: Jaishankar

- **Non-alignment** is an old concept today, but India will never be a part of an alliance system, according to External Affairs Minister S. Jaishankar.
- Speaking about the consequences of global shifts, including the United States and the assertiveness of China, he said they were opening spaces for middle powers like India, Japan, the European Union and others.
- India must now take more “risks”, as the world expected it to take a more proactive stance on the “big issues” of the day, including connectivity, maritime security, terrorism, climate change and terrorism.

### Value Added Information

#### What is non-aligned movement?

- Non-Aligned Movement is an idea that emerged in 1950. NAM is **the second-largest platform globally in terms of country membership after the UN**. It currently has more than **120 members**.

#### The evolution of NAM:

- During 1950s, the world was emerging out of the long, dark period of colonialism.
- Newly independent nations dreamed they could make their way in this new world without hewing to either of the big powers, the United States and the Soviet Union, eschewing the icy hostilities of the Cold War and bask in the warmth of Third World (as it was then known) cooperation.
- **The co-founders were** India’s Jawaharlal Nehru, Indonesia’s Sukarno, Egypt’s Gemal Abdel Nasser, Yugoslavia’s Josep Broz Tito, and Ghana’s Kwame Nkrumah were all figures of international consequence, and their collective charisma attracted lesser lights from around the world.



- The **Asian-African Conference of 1955 held in Bandung** was the catalyst for the establishment of the Non-Aligned Movement.
- The actual formation took place in **Belgrade**, where the Non-Aligned Movement was formally established by the leaders of 25 developing countries in 1961.

### Why is it losing relevance today? – Criticisms:

- NAM today has grown into a **forum where developing nations could blame all their problems on the big powers.**
- It has become a **platform for some of the world's most despicable leaders to preen and posture.**

NAM's reason to exist ended in 1989, with the collapse of the Soviet Union, and the end of the Cold War. The world was left with a single superpower, the US, but quickly became **multipolar, with China and India emerging as strong magnetic forces in their own right.**

### Iran to continue work with India on Chabahar line: Railway chief

- In the latest twist to Iran's Chabahar-Zahedan railway project, Iran's Railway Minister said Iran and India are "determined to continue" cooperation on the railway line. The remarks contradict Iranian officials who had previously said India was not a part of the project.
- Considering the history of cooperation between the two countries and the existing potentials and capacities, Iran and India are determined to continue their cooperation in the field of rail transport, especially the Zahedan-Chabahar railway, because the development of cooperation between the two countries in this area.

### Outstanding issues:

- When asked why India had not been a part of the inauguration, the Ministry of External Affairs (MEA) spokesperson had said last Thursday that India had not heard back from Iran on a request to "finalise outstanding technical and financial issues" since December 2019.



- It is unclear whether Monday's meeting means there has been some progress in the issues pending since last December, and whether India will now sign an agreement with the Iranian government to take the project forward. The MEA and Iranian Embassy in Delhi declined to make any further comments to the new development.
- Meanwhile, another Iranian official also said last week that India was not a part of the inauguration as it had not signed the Chabahar-Zahedan rail agreement, despite a previous 2016 MoU between Iranian railway infrastructure company CDTIC and Indian railway construction company IRCON.
- When asked about the decision to go ahead alone, Iranian diplomatic officials had cited Indian delays and the impact of U.S. sanctions.

## Tough, new e-commerce rules kick in next week

- The e-commerce portals will have to set up a robust consumer redressal mechanism as part of the rules under the **Consumer Protection Act, 2019**.

### Key Points:

- The Consumer Protection (E-commerce) Rules, 2020, which fall under the Consumer Protection Act, will be notified within a few days.
- The e-commerce entities will have to provide every detail relating to return, refund, exchange, warranty and guarantee, delivery and shipment, modes of payment, grievance redressal mechanism, payment methods, security of payment methods, charge-back options and so on.
- They will also have to mention the country of origin which are necessary for enabling the consumer to make an informed decision at the pre-purchase stage on its platform.
- The e-commerce platforms also have to acknowledge the receipt of any consumer complaint within 48 hours and redress the complaint within one month from the date of receipt under this Act. And will also have to appoint a grievance officer for consumer grievance redressal.



- These rules are mandatory and not merely advisories as issued earlier. This is the first time that such detailed rules have been published by the Government of India for e-commerce entities.
- Mentioning the country of origin is equally essential. “Where an e-commerce entity offers imported goods or services for sale, it shall mention the name and details of any importer from whom it has purchased such goods or services, or who may be a seller on its platform,” the draft rules say.
- Under the rules, sellers cannot refuse to take back goods or withdraw services or refuse refunds, if such goods or services are defective, deficient, delivered late, or if they do not meet the description on the platform. The rules also prohibit the e-commerce companies from manipulating the price of the goods or services to gain unreasonable profit through unjustified prices.