



DAILY CURRENT AFFAIRS

24th JUNE, 2024



S.NO.	TOPIC
1.	CREATE THE SPACE FOR GOVERNANCE WITH A GREEN HEART
2.	INDIA AMONG A SELECT FEW COUNTRIES THAT HAVE NOT CONDUCTED THE CENSUS
3.	WHAT ARE THE DUTIES OF A SPEAKER?
4.	HOW IS METHANOL PROCURED AND USED AS LIQUOR?

CREATE THE SPACE FOR GOVERNANCE WITH A GREEN HEART

Create the space for governance with a green heart

As a new term begins for the government and the Lok Sabha, it must have green concerns close to the heart. While we have never had a government that truly put the environment first, the last one, which was in pursuit of its 'development' agenda, proved to be actively inimical to the interests of the environment. For more than a dozen years, Environment Ministers have been concerned primarily with the welfare of mining, oil, coal, highways, and power industries. India stands on the cusp of severe environmental degradation, which can only be arrested by the conscious adoption of green policies even as the country pursues the goal of becoming a middle-income economy. These are the areas that need to be addressed urgently.

Greater vulnerability

Climate change is something India's leadership mentions often but does little to engage with (with the limited exception of promoting the solar energy industry). Even as energy consumption soars, no steps have been taken to consciously pursue an agenda of cutting down emissions. More importantly, the remedial aspects of climate change which include building resilience, food security, and access to essentials have fallen far behind in priorities. As floods, famines, heatwaves, wildfires, water shortages and droughts become increasingly common, contingency plans must be put in place to protect vulnerable populations and diminish harm. From updating building guidelines to preserving natural storm barriers such as mangrove forests, to establishing funds for evacuation and rehabilitation, these are the tasks that the Ministry of Environment, Forest and Climate Change has had no time for recently.

First, forest cover, India has one of the world's lowest levels of green cover per capita. It has only 28 trees per headcount of the populace, in contrast with Canada's 8953 or even China's 130. Qualitatively important forest cover has



Satyajit Sarna

a practising lawyer
in New Delhi



Arun Srikumar

a practising lawyer
in New Delhi

A conscious focus on green policies is crucial as environmental issues in India impact the survival and the health of millions

decreased significantly in the last 20 years, and the less said about urban forestry the better. The damage to our forests has been covered up with questionable accounting, which includes plantation forests and tree cover in urban centres. Recent legislation such as the Forest (Conservation) Amendment Bill, 2023, which was legislation ramrodded through the outgoing Parliament, needs to be rolled back and robust new protections put in place.

Second, unliveable cities. The metropolitan centres of India have overgrown any plans that were laid for them. Delhi, Mumbai and a large swathe of tier 2 and tier 3 cities across the Gangetic belt now have unacceptable levels of air pollution, destroying the lifespans of their residents. Bengaluru and Delhi are running out of water, and the poor have to queue for hours to have access to the bare minimum. The rivers that brought life to cities, such as the Adyar in Chennai or the Yamuna in Delhi, have become open sewers. Green spaces and water bodies in cities have been built over, which has created heat islands. Smaller cities have more manageable problems, but without timely intervention, will reach the same crisis levels as the metros. Sewage treatment specifically requires a major national overhaul as Indian cities treat only approximately 28% of the sewage they generate.

Destruction in the Himalayas

Third, concerns in the Himalayas. Climate change has had outside repercussions in the mountains of India. Glaciers are rapidly receding, and in some places, have disappeared. Up to 80% of their volume is forecast to disappear in this century. Rainfall and temperature patterns have changed beyond recognition. This impacts the water and food security of not just the people of the mountains but also of much of North India. When thousands of Ladakhis fasted and protested to demand governmental action they were ignored – perhaps because they held no

votes. Similar concerns arise for wetlands – whose importance has never been greater – and other marginal landscapes which are critical for biodiversity as well. Fourth, public participation. At the root of many of these problems is the Indian government's age-old refusal to listen to stakeholders and affected persons. Environmental Impact Assessment (EIA) mechanisms have become mere checkboxes to be ticked for all projects. Protests are swept aside, criticism is ignored, and the absence of a meaningful Opposition has resulted in rapid, ill-considered steps being taken. The Char Dham Highway project is an example. Passed through amidst a barrage of small EIAs, the grandiose scheme has caused irreparable harm to the river valleys of Uttarakhand. The deforestation and erosion caused has created additional unforeseen risks, best exemplified by the tunnel collapse of November 2023. More importantly, the sanctity of the EIA Notification of 2006 has been watered down over the last five years with hundreds of amendments. EIA mechanisms need to be elevated to statutory status, so that they are beyond such sabotage.

Restore genuine conservation

Fifth, greenwashing. Ill-advised policies, which have been driven by commercial interest, such as green credits and compensatory afforestation, have taken the place of genuine conservation efforts. Sustainable development does not mean that only commercially profitable steps may be taken by the government. Enforcement mechanisms and bodies also need more teeth so as to ensure genuine environmental rule of law.

These are not luxury concerns. They impact the survival and the health of millions. The absence of these issues from the election manifestos of the major political parties was bitterly disappointing. But it is not too late. If the government is to truly be the steward of the people, it must start by taking a hard look at the physical health of the country.

What is EIA:

- ❖ Environmental Impact Assessment (EIA) is a tool used to identify the environmental, social and economic impacts of a project prior to decisionmaking.
- ❖ Environmental Impact Assessment (EIA) is a process of evaluating the likely environmental impacts of a proposed project or development, taking into account inter-related socioeconomic, cultural and human-health impacts, both beneficial and adverse.



- ❖ Environment Impact Assessment in India is statutorily backed by the Environment Protection Act, 1986 which contains various provisions on EIA methodology and process. Environmental Impact Assessment (EIA) is an important management tool for ensuring optimal use of natural resources for sustainable development.
- ❖ It covers developmental sectors such as industries, thermal power projects, mining schemes etc.

EIA Notification, 2006:

- ❖ **Objectives:** The objectives of EIA Notification, 2006 inter alia include:
 - ☛ To formulate a transparent, decentralized and efficient regulatory mechanism to integrate environmental concerns into the developmental process with a view to facilitating sustainable development.
 - ☛ To ensure incorporation of necessary environmental safeguards at planning stage in the project cycle, so as to ensure minimal impact on different components of the environment.
 - ☛ To ensure involvement of stakeholders in the public consultation process through public hearing and to ascertain the views of the public on the proposed project or activity.

Salient Features: The salient features of EIA Notification, 2006 inter alia include:

- ❖ The EIA Notification, 2006 has categorized the projects into two categories namely; Category 'A' and Category 'B' based on their impact potential.
- ❖ Category A projects require mandatory environmental clearance and thus they do not undergo the screening process.
- ❖ Category B projects undergoes screening process and they are classified into two types.
 - ☛ Category B1 projects (Mandatory requires EIA).
 - ☛ Category B2 projects (Do not require EIA).
- ❖ Thus, Category A projects and Category B, projects undergo the complete EIA process whereas Category B2 projects are excluded from complete EIA process.
- ❖ The stage of scoping for prescribing terms of reference by the Regulatory Agency for the EIA studies has been incorporated in accordance with the International practice. It is expected to improve the quality of EIA thereby improving the quality of decision making and minimizing the delays.
- ❖ The public consultation process has been made more structured. It has two components i.e. comments through correspondence and by public hearing at site. Provision to videograph the proceedings of the public hearing has been made.
- ❖ NOCs (No-Objection Certificates) from other regulatory agencies such as SPCB etc. are not a prerequisite for considering application for environmental clearance.

Stages of Environmental Clearance:

- ❖ **The environmental clearance process comprises of four stages, namely, Stage Screening Stage:** Screening refers scrutiny of category 'B' projects seeking prior environmental clearance made in Form-1 by the concerned State Level Expert Appraisal Committee for determining whether or not the project requires further environmental studies for preparation of EIA for its appraisal depending upon the nature and location specificity of the project.
- ❖ **Scoping Stage:** What effects could this project have on the environment? Which of these effects are likely to be significant and therefore need particular attention in the environmental studies? Which



alternatives and mitigation measures ought to be considered in developing the proposal for the project.

- ❖ **Public Consultation stage:** To ascertain views of local persons. Outcome of public consultation, which is not a decision making process, to be included in EIA and addressed.
- ❖ **Appraisal stage:** Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents submitted by the applicant for grant of environmental clearance.

Stakeholders in the EIA Process:

- ❖ Those who propose the project
- ❖ The environmental consultant who prepare EIA on behalf of project proponent
- ❖ Pollution Control Board (State or National)
- ❖ Public has the right to express their opinion
- ❖ The Impact Assessment Agency
- ❖ Regional centre of the MoEFCC

Advantages of EIA:

- ❖ By using EIA both environmental and economic benefits can be achieved, such as:
 - ☛ Reduced cost and time of project implementation and design,
 - ☛ Avoided treatment/clean-up costs and impacts of laws and regulations.
 - ☛ Lays base for environmentally sound projects;
 - ☛ Greater awareness of environmental legislation;
 - ☛ Protection of Environment
 - ☛ Optimum utilization of resources(balance between development and Environmental protection)
 - ☛ Informs decision makers
 - ☛ EIA reports are a critical component of India's environmental decision-making process
 - ☛ It acts as a detailed study of the potential impacts of proposed projects.
 - ☛ It helps in predicting environmental impacts at an early stage in project planning and design.
 - ☛ Based on these reports, the Environment Ministry or other relevant regulatory bodies may or may not grant approval to a project.
 - ☛ The EIA reports are also important to define measures that the project could take in order to contain or offset project impacts.
 - ☛ EIA-based approvals for most projects also involve the process of conducting public hearings, so that who are likely to be affected can be taken on board before approving the project.
 - ☛ EIA links environment with development.
 - ☛ The goal is to ensure environmentally safe and sustainable development.

Limitations of EIA:

- ❖ Time-consuming
- ❖ Little public participation in actual implementation
- ❖ Sometimes too focused on the scientific analysis
- ❖ Compliance monitoring after EIA is seldom carried out



- ❖ Impact assessment processes are in place and applied in many countries, yet biodiversity is often inadequately addressed.
- ❖ There is a growing recognition of the need to better reflect biodiversity considerations in environmental impact assessments and strategic environmental assessments.

Question:

Q.1 Environmental Impact Assessment (EIA) is aimed to help (UPSC ESE 2019 Paper - 1)

- (a) Estimate future needs of the society
- (b) Smooth implementation of a project
- (c) Cope with rapid increase in population
- (d) Resource conservation

Answer: (d)

Home Work:

Q.2 Do you think that even after years of implementation, the result of the environmental impact assessment has not been encouraging? Critically examine. (10M, 150W)

Model Answer

Approach:

- ❖ **Introduction:** Introduce by defining environmental impact assessment. Give a brief description of the evolution of EIA in India.
- ❖ **Body:**
 - Heading 1: Success of Environmental Impact Assessment (EIA):
 - Heading 2: Shortcomings in its Implementation:
- ❖ **Conclusion:** Suggest a way forward.

INDIA AMONG A SELECT FEW COUNTRIES THAT HAVE NOT CONDUCTED THE CENSUS

India among a select few countries that have not conducted the Census

Sharing company with India are countries undergoing invasions, civil wars or economic crises

DATA POINT

Jasmin Nihalani

The last census conducted in India was in 2011 and the decennial counting measure has been postponed indefinitely since 2021. Census numbers play a vital role in identifying beneficiaries for a myriad welfare schemes which could include specific ones such as building schools for tribal children to the large Public Distribution System (PDS). The absence of the census is bound to have grave consequences.

The BJP-led government has repeatedly asserted, including in Parliament, that Census 2021 had to be postponed due to the pandemic. But India stands only among a select few countries that have not conducted the latest Census – 44 of 233 nations. Of the 189 (81%) that managed to conduct their latest rounds, 143 did so after March 2020, the period when COVID-19 started playing havoc across countries. India shares the dubious distinction of not conducting the census with conflict-ridden countries such as Ukraine (invaded by Russia), Yemen, Syria and Myanmar – impacted by civil wars, the Taliban-ruled Afghanistan, the economic crisis-affected Sri Lanka besides several sub-Saharan African countries that have also undergone turmoil.

Chart 1 shows the year in which the census was last conducted in 233 countries. Among the ten most populous countries, India and Nigeria are the only two yet to conduct a census. China, the U.S. and Indonesia were able to conduct their latest census round in 2020. Pakistan, ranked fifth, conducted its census in March 2023.

Among BRICS nations (originally defined), only India has not conducted the census with others having done so during or after the pandemic – Brazil (August 2022), China (November 2020), South

Africa (February 2022), Russia (October 2021). Among neighbours, Nepal, Maldives, Bhutan and Bangladesh have conducted censuses.

An excerpt from The Office of Registrar General and Census Commissioner, published in 2011, emphasises the need for a census. "... India is a welfare State. All these (welfare schemes) require information at the grassroots level... (Census) is the only source of primary data at village, town and ward level...".

Table 2 lists a selection of surveys that need census data to determine their samples and some schemes that require updated population figures to determine the number of beneficiaries. For instance, the consumption survey 2022-23, which collects data on the consumption of goods and services to understand expenditure patterns and standard of living, used the 2011 census for sampling. The National Family Health Survey 2019-21, which highlights districts where health services are inadequate, also depended upon the 2011 figures. Schemes such as the National Family Security Act, which identifies beneficiaries, who are entitled to receive subsidised food grains, are still being implemented using 2011 figures. Calculations by economists Jean Drèze, Reetika Khera and Meghana Mungikar estimate that at least 100 million people have been excluded from the scheme as coverage is still based on the 2011 census.

Even a relatively smaller scheme such as Eklavya Model Residential School (EMRS), which aims to provide quality education for ST children, will miss out on many areas. In 2022, every block with more than 50% of the ST population was targeted to have an EMRS school. As this calculation was done based on 2011, many blocks that fit the criteria in 2022 may have missed out. Similarly, blocks which fit the criteria earlier but did not in 2022, will get an EMRS school which they may not need now.

Counted in bad company

The data for the chart were sourced from the statistics division of the United Nations. Data for the table was sourced from the respective survey reports, CAG audit reports and the NFSA website



Approximate count: Women walk in front of a 'population clock' showing India's estimated population, on World Population Day on July 11, last year, in Mumbai. EMMANUAL YOGINI

Chart 1: The chart shows the year in which the latest census was conducted in 233 countries. Countries coloured as ● are yet to conduct the latest census. Nations coloured ● did it before the pandemic, while those coloured ● did it during or after pandemic

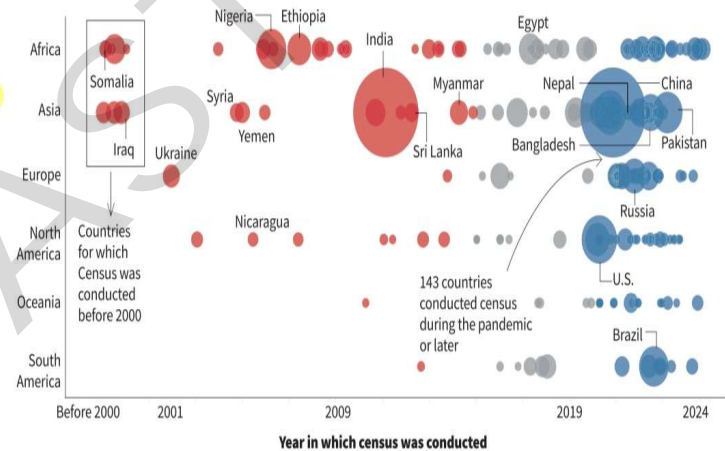


Table 2: Surveys that need census data to determine their samples and some schemes that require updated population figures

Name	Use of census
Consumption survey	The sampling frame for rural sector is the list of villages as per Census 2011
National Family Health Survey	The 2011 census served as the sampling frame for the selection of villages in rural areas
PLFS	List of 2011 population census villages constituted the rural sampling frame
Sample Registration System	The statistical report uses sample from Census 2011 frame
Household social consumption on education	The total number of sample first stage units (census villages in the rural sector and blocks in the urban sector) were allocated to the States and UTs in proportion to population as per Census 2011
Key Indicators of Social Consumption in India: Health	For the rural areas, the list of 2011 Census villages constituted the sampling frame
National Food Security Act	The Act covers nearly 2/3rd of the country's total population on the basis of estimates done using Census 2011 figures. 75% of rural and 50% of urban population is entitled to receive highly subsidised foodgrains
National Social Assistance Programme	Central assistance to States and UTs under NSAP is determined on the basis of BPL population of the respective States/UTs. Estimated number of beneficiaries are calculated using population figures as per Census 2001 and the poverty ratio determined by the erstwhile Planning Commission in 2004-05
Delimitation of constituencies	The Social Studies Division provides the Scheduled Caste (SC) and Scheduled Tribe (ST) Census figures to the Election Commission for delimitation of constituencies and reservation of seats for the SCs and STs

nihalani.j@thehindu.co.in



Census:

- ❖ A population Census is the process of collecting, compiling, analyzing and disseminating demographic, social, cultural and economic data relating to all persons in the country, at a particular time in ten years interval.
- ❖ India is recognised for its 'Unity in diversity' and the Census gives the citizens a chance to study this diversity and associated facets of their nation through its society, demography, economics, anthropology, sociology, statistics, etc.

Historical Background:

- ❖ The earliest literature 'Rig Veda' reveals that some kind of population count was maintained during 800-600 BC.
- ❖ Kautilya's Arthashastra (written around 321-296 BC) laid stress on Census taking as a measure of State policy for purpose of taxation.
- ❖ During the regime of Mughal king Akbar, the administrative report 'Aine-Akbari' included comprehensive data pertaining to population, industry, wealth and many other characteristics.
- ❖ The first Census was conducted in India in 1872 (although nonsynchronously in different parts) during the reign of Governor-General Lord Mayo. The first complete synchronous Census was conducted in 1881.
- ❖ With a history of more than 130 years, it has proved to be a reliable exercise that is conducted every 10 years.
- ❖ Census-2021 was to be the 16th such exercise since inception and 8th since independence.

Authority Involved:

- ❖ The Government of India in May 1949 decided to initiate steps for developing the systematic collection of statistics on the size of the population, its growth, etc.
- ❖ For this purpose, it established an organisation viz. Office of the Registrar General and Census Commissioner under Ministry of Home Affairs (which is responsible for conducting the decennial Census).
- ❖ Later, this office was also entrusted with the responsibility of implementation of Registration of Births and Deaths Act, 1969 in the country.

Importance of Census:

- ❖ **Comprehensive Source of Data:** Census is a data collection exercise. It gathers knowledge about the demographic dividend of the nation which is vital for many purposes.
 - Various surveys like health survey, education survey, agriculture survey, etc. are based on this comprehensive data.
- ❖ **Decision-making:** Census is significant for any country for evidence-based decision making.
 - The data collected through the Census is used for administration, governance, planning and policy-making as well as management and evaluation of various programmes run or to be introduced by the Government, NGOs, researchers, commercial and private enterprises, etc.
- ❖ **Policy-making:** Census is responsible for taking the collected information "from a dwelling unit to the delivery unit". It will boost coherence policy-making and scientific planning, resulting in optimisation of resources.



- ☛ To scholars and researchers in demography, economics, anthropology, and many other disciplines, the Indian Census has been a fascinating source of data.
- ☛ The collected data from the Census is available to grassroots administrative authorities of a particular region in order to take appropriate developmental tasks.
- ☛ It helps in effective targeting and better delivery of government programmes to the most downtrodden sections of the society.
- ❖ **Demarcation:** Census data is also used for the demarcation of constituencies and allocation of representation to the Parliament, State Legislative Assemblies and local bodies.
- ❖ **Giving Grants:** Finance Commission gives grants to the states on the basis of population figures available from the Census data.

Census in India is the largest single source of a variety of statistical information on different characteristics of the people of India. It is a sacred democratic exercise. To follow an integrated approach should be the aim of all involved stakeholders in order to conduct this exercise in a hassle-free manner.

Question:

Q.3 Consider the following statements:

1. Population data are collected through Census operation held every 10 years in India.
2. First complete population Census was conducted only in 1872.

Which of the statements given above is/are correct?

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

Answer: A

Notes:

Explanation:

- ❖ Population data are collected through Census operation held every 10 years in our country. The first population Census in India was conducted in 1872 but its first complete Census was conducted only in 1881.
- ❖ **Source:** NCERT – People & Economy

WHAT ARE THE DUTIES OF A SPEAKER?

What are the duties of a Speaker?

What does the office of the 'Speaker *pro tem*' mean? What does the Constitution state? Who elects the Deputy Speaker of the Lok Sabha? How can the impartiality of the Speaker's office be preserved? What are the main roles of the Speaker?

EXPLAINER**Rangarajan. R****The story so far:**

The President has appointed seven-time MP Bhartruhari Mahtab as the 'Speaker *pro tem*' of the 18th Lok Sabha. The election of the full-time Speaker is scheduled for June 26. There are also reports of the Deputy Speaker being offered to one of the allies of the ruling National Democratic Alliance (NDA), a post that has been held by the Opposition since the 10th Lok Sabha (1991).

Who is Speaker *pro tem*?

Article 94 of the Constitution states that the Speaker of the Lok Sabha shall not vacate his/her office until immediately before the first meeting of the Lok Sabha after its dissolution. This is to ensure that the office of the Speaker is never left vacant. Hence, Om Birla who was the Speaker of the 17th Lok Sabha continues in that post till June 24 when the first meeting of the 18th Lok Sabha is scheduled. Article 95(1) of the Constitution provides that when the post of Speaker and Deputy Speaker is vacant, the President shall appoint a member of the Lok Sabha to perform the duties of the Speaker. This would be the situation when the first meeting of a new Lok Sabha commences.

Hence, the President appoints 'Speaker *pro tem*' under this provision till the full-time Speaker is elected. The term '*pro tem*' means 'for the time being' or 'temporary'.

This term is not found in the Constitution or rules of Lok Sabha but is a conventional term which finds mention in the 'Handbook on the working of Ministry of Parliamentary affairs.' As per tradition, one of the senior-most members of the Lok Sabha is selected by the government, who is then administered oath by the President. The Speaker *pro tem* administers oath of office to other MPs



Important role: Union Minister Dharmendra Pradhan with MP Bhartruhari Mahtab on March 28, 2021.

and presides over the election of full-time Speaker. In the 18th Lok Sabha, Bhartruhari Mahtab of the Bharatiya Janata Party (BJP) has been appointed as Speaker *pro tem*.

How are the Speaker and Deputy Speaker elected?

Article 93 of the Constitution states that the Lok Sabha shall choose two members to be its Speaker and Deputy Speaker. The election of the Speaker is held on a date fixed by the President. All the Speakers in independent India have been elected unopposed. The election of Deputy Speaker is held on a date fixed by the Speaker.

What is the role of the Speaker?

Apart from the conduct of business, the Speakers perform two important constitutional functions of certifying a Bill to be a Money Bill (over which the Rajya Sabha has limited role), and deciding on disqualification under the Tenth Schedule for defection. In discharging these roles in the past, the Speakers have invariably favoured the ruling dispensation, something that should be avoided.

The Lok Sabha rules provide the Speaker with the powers of referral of Bills introduced to Standing Committees and suspension of members for grave disorder up to a maximum of five days. Referral of Bills to committees have

declined from 71% during 2009-14 to 16% during 2019-24. With the return of a coalition government, it is expected that the Speaker would refer important Bills to Standing committees for scrutiny. There were also large-scale suspensions of Opposition MPs during the winter session of 2023. Such suspensions affect the robust functioning of Parliament and should be carried out with restraint.

What are the conventions?

In Britain, the Speaker once elected to his/her office, resigns from the political party to which he/she belonged. In subsequent elections to House of Commons, he/she seeks election not as a member of any political party but as 'The Speaker seeking re-election'. This is to reflect his/her impartiality while presiding over the House. Somnath Chatterjee, who was the Speaker of the 14th Lok Sabha acted independently by not resigning from the post despite his party's (CPM) direction after it had withdrawn support from the United Progressive Alliance (UPA) government during a confidence vote in 2008. While the Tenth Schedule allows a Speaker to resign from their political party on being elected to their office, it has never been done by any Speaker till date. Resignation from their political parties on being elected as Speaker could be a first step towards demonstrating independence.

The Deputy Speaker is an important constitutional officer who steps in during the vacancy or absence of the Speaker. The convention of offering the post of Deputy Speaker to the Opposition started in the year 1991. Thereafter, till the 16th Lok Sabha this has been followed without a break. It was a travesty of the Constitution that no Deputy Speaker was elected in the 17th Lok Sabha.

The healthy convention of the post being held by Opposition should return in the current Lok Sabha.

Rangarajan.R is a former IAS officer and author of 'Polity Simplified'. He currently trains civil-service aspirants at 'Officers IAS Academy'. Views expressed are personal.



Question:

Q.4 With reference to Deputy Speaker of Lok Sabha, consider the following statements: (2022)

1. As per the Rules of Procedure and Conduct of Business in Lok Sabha, the election of Deputy Speaker shall be held on such date as the Speaker may fix.
2. There is a mandatory provision that the election of a candidate as Deputy Speaker of Lok Sabha shall be from either the principal opposition party or the ruling party.
3. The Deputy Speaker has the same power as of the Speaker when presiding over the sitting of the House and no appeal lies against his rulings.
4. The well-established parliamentary practice regarding the appointment of Deputy Speaker is that the motion is moved by the Speaker and duly seconded by the Prime Minister.

Which of the statements given above are correct?

- (a) 1 and 3 only
- (b) 1, 2 and 3
- (c) 3 and 4 only
- (d) 2 and 4 only

Answer: (b)

Constitutional Provisions Related to Speaker/Deputy Speaker:

- ❖ **Article 93/178:** Appointment of the Speaker and Deputy Speaker of the Lok Sabha/ Legislative Assembly.
- ❖ **Article 94/179:** Vacation/resignation/removal from the offices of Speaker and Deputy Speaker of the Lok Sabha/Legislative Assembly.
- ❖ **Article 95/180:** Power of the Deputy Speaker or other person(s) to perform the duties of the office of or to act as the Speaker of the Lok Sabha/Legislative Assembly.
- ❖ **Article 96/181:** The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.
- ❖ **Article 97/186:** Salaries and allowances of the Speaker and Deputy Speaker.

Judicial Provisions Related to Speaker/Deputy Speaker:

- ❖ In *Kihoto Hollohan versus Zachilhu* case, 1993, the Supreme Court declared that the decision of the presiding officer is not final and can be questioned in any court. It is subject to judicial review on the grounds of malafide, perversity, etc.
- ❖ Supreme Court in *Keisham Meghachandra Singh vs The Hon'ble Speaker Manipur Legislative Assembly & Ors* Case, 2020, ruled that Speakers of assemblies and the Parliament must decide disqualification pleas within a period of three months except in extraordinary circumstances.
- ❖ In *Nabam Rebia vs Deputy Speaker* Case, 2016, the SC held that a speaker will be disabled from deciding disqualification petitions under the anti-defection law (10th schedule of the constitution) if a notice for their removal is pending.
- ❖ In other words, this judgement stopped a Speaker facing removal notice from deciding disqualification pleas against members of legislatures under anti-defection law.



- ❖ Also, in 2023, the Supreme Court in *Subhash Desai v Principal Secretary, Governor of Maharashtra Case, 2023*, directed the Maharashtra Assembly Speaker, to set a timeline for deciding pleas for the disqualification of MLAs.

What are the Key Facts About the Speaker in India?

❖ About:

- ☛ The Speaker is the constitutional and ceremonial head of the House.
- ☛ Each House of Parliament has its own presiding officer.
- ☛ There is a Speaker and a Deputy Speaker for the Lok Sabha and a Chairman and a Deputy Chairman for the Rajya Sabha.
- ☛ The Speaker is assisted by the Secretary-General of the Lok Sabha and senior officers of the Secretariat on parliamentary activities, practice and procedure.
- ☛ In the absence of the Speaker, the Deputy Speaker discharges the functions.
 - A member from the panel of Chairmen presides over the House in the absence of both the Speaker and the Deputy Speaker. However, member of the panel of chairpersons cannot preside over the house, when the office of the Speaker or the deputy speaker is vacant.

❖ Election:

- ☛ The House elects its presiding officer by a simple majority of members present, who vote in the House.
- ☛ Usually, a member belonging to the ruling party is elected as speaker whereas deputy speaker is elected from opposition party .
 - There are also instances when members not belonging to the ruling party were elected to the office of the Speaker.
 - GMC Balayogi and Manohar Joshi belonging to the non-ruling party served as the Speaker in the 12th and 13th Lok Sabha.
- ☛ When the Lok Sabha is dissolved, the Speaker remains in his office till the first meeting of the new assembly when the new speaker is elected.

❖ Removal:

- ☛ The Constitution has given the Lower House authority to remove the Speaker if needed.
 - The House can remove the Speaker through a resolution with notice of 14 days, passed by an effective majority (more than 50% of the effective strength (total strength-vacancies) of the house present and voting) as per Articles 94 of the Indian Constitution.
- ☛ The Speaker can also be removed on getting disqualified from being a Lok Sabha member under sections 7 and 8 of the Representation of the People Act, 1951.
- ☛ A speaker can also give his resignation to a Deputy Speaker

❖ Sources of Power and Duties:

- ☛ The Speaker of the Lok Sabha derives his powers and duties from three sources:
 - Constitution of India,
 - Rules of Procedure and Conduct of Business of Lok Sabha,
 - Parliamentary Conventions (residuary powers that are unwritten or unspecified in the rules)



How is methanol procured and used as liquor?

Was the Kallakurichi incident the first time that methanol poisoning has come to light?

M. Kalyanaraman

The story so far:

The Kallakurichi illicit liquor tragedy that has so far claimed more than 50 lives is entirely familiar in its cause, sequence of events, and aftermath. Such tragedies happen periodically across India in various States. Almost all the postmortem reports of the victims attribute the cause to methanol consumption.

How are ethanol, methanol made?

Ethanol is legal liquor for consumption. It is produced biologically whereas methanol is produced from fuels such as coal in India. Molasses, which are a by-product of the sugar making process, form the starting material of distilleries that are often located close to sugar factories. They produce rectified spirit which is distilled further to produce edible extra neutral alcohol that in turn goes into making Indian Made Foreign Liquor, a lucrative cash cow for State

governments. During ethanol production in responsible distilleries, methanol is also produced but is carefully removed since the processes are highly controlled.

Methanol is produced from coal and other fossil fuels. While ethanol can be made edible, methanol is poison. Even very low concentrations of methanol can be toxic, often fatal. However, it is needed to produce a range of products that are highly useful. Paints, for instance, can't be produced without methanol.

Is methanol easy to procure?

Just like ethanol, methanol is a highly controlled substance. Rules in Tamil Nadu ensure the manufacturing, transportation and storage are all licenced, monitored and the quantity and quality audited.

In northern Tamil Nadu, much of the methanol used in industries is sourced from Andhra Pradesh. Ground reportage suggests the existence of a lucrative methanol pilferage racket operating enroute and at the end-user side as well.

It is possible that methanol formed

during the crude distillation process, adopted by the bootleggers at Kallakurichi, wasn't removed, leading to methanol poisoning. However, the widespread nature of contamination and scale of the Kallakurichi tragedy suggests that methanol was procured and supplied separately, either as part of a brew or alone in a diluted form. Given that illicit liquor has been produced and distributed widely here over many months, possibly years, methanol use was not a one-off event that happened only this fateful week at Kallakurichi.

Why is methanol used?

Most of the hooch tragedies in India occur due to methanol contamination in liquor. Street wisdom, or belief rather, may well be that the relatively inexpensive but potent poison that is methanol, if diluted enough, could provide the same effect as ordinary liquor – a state of intoxication or 'kick' for consumers.

Prosecutors in the 2015 Malvani, Mumbai hooch tragedy case in which