

## **UPSC Daily Current affairs | Prelim bits 30-04-2020**

### **Mekong River**

- The Mekong, or Mekong River, is a trans-boundary river in Southeast Asia.
- It is the world's twelfth longest river and the seventh longest in Asia.
- Its estimated length is 4,350 km (2,703 mi), and it drains an area of 795,000 km<sup>2</sup>.
- From the Tibetan Plateau the river runs through China, Myanmar, Laos, Thailand, Cambodia, and Vietnam.
- The extreme seasonal variations in flow and the presence of rapids and waterfalls in the Mekong make navigation difficult.
- The river is a major trade route between western China and Southeast Asia.
- The Mekong River Commission (MRC) is an inter-governmental organization that works directly with the governments of Cambodia, Laos, Thailand, and Vietnam to jointly manage the shared water resources and the sustainable development of the Mekong River.
- China is building a dam in Lancang River, upper half of Mekong River.



## Report on Chinese Dams

- A new study highlighting the impact of China's dams on the Mekong River been released recently
- It was published by the Sustainable Infrastructure Partnership in Bangkok and the Lower Mekong Initiative, which is a U.S. partnership with all the downstream countries besides Myanmar.
- The study was funded by the U.S. government.
- According to the report China's southwestern Yunnan province had above-average rainfall from May to October 2019, there was "severe lack of water in the lower Mekong", and the study found based on satellite data from 1992 to 2019.
- China has maintained that the dams it is building on the river, known as the Lancang there, are "run of the river" dams that only store water for power generation.
- China has also stated that Yunnan had also suffered from drought, while the Lancang only accounted for 13.5% of the Mekong's flows.
- However Mekong River Commission, has said more scientific evidence

was needed to establish whether dams caused a 2019 drought.

- The report has also raised fresh questions on whether dams being built on other rivers that originate in China, such as the Brahmaputra may similarly impact countries downstream.

## **Yarlung Tsangpo**

- The Yarlung Tsangpo, is the longest river of Tibet Autonomous Region, China.
- It originates at Angsi Glacier in western Tibet, southeast of Mount Kailash and Lake Manasarovar.
- It is the upper stream of the Brahmaputra River.
- Downstream from Arunachal Pradesh the river becomes far wider and is called the Siang.
- After reaching Assam, the river is known as Brahmaputra.
- From Assam, the river enters Bangladesh, from there until about 200 years ago it used to flow eastward and joined the Meghna River, this old channel has been gradually dying.
- At present the main channel of the river is called Jamuna River, which flows southward to meet Ganges, which in Bangladesh is called the Padma.
- When leaving the Tibetan Plateau, the River forms the world's largest and deepest canyon, Yarlung Tsangpo Grand Canyon.
- India has long expressed concerns over dam-building on the Brahmaputra.
- In 2015, China operationalized its first hydropower project at Zangmu, while three other dams at Dagu, Jiexu and Jiacha are being developed.
- Indian officials have said the dams are not likely to impact the quantity of the Brahmaputra's flows because they are only storing water for power generation.
- Moreover, the Brahmaputra is not entirely dependent on upstream flows and an estimated 35% of its basin is in India.
- India does not have a water-sharing agreement with China, but both sides share hydrological data.



### **Kerala Ordinance for Salary Deferment**

- Kerala Government has approved the draft Ordinances for deferring six days' salary of government teachers and employees for six months and also on shelving the delimitation of local body wards in the wake of the crisis triggered by COVID-19.
- The Ordinance on salary deferment was necessitated following a stay order issued by the High Court on the government decision to defer the salary.
- The stay for two months was issued on the premise that it lacked legal sanction.
- The impediment for deducting the salary had been cleared with the Governor signing the ordinance and disbursement would commence on May 4.
- The deferred salary would be retained in a separate account and used for virus containment efforts.

### **Ordinance making power of President and Governor**

- **Ordinance making power of President** - Ordinances are like a law but not enacted by the Parliament but rather promulgated by President of India when Lok Sabha and Rajya Sabha or either of those is not in session.
- Union Cabinet's recommendation is a must for an ordinance to be promulgated, using ordinances, immediate legislative actions can be taken.

- Under Article 123 of the Constitution, the president is granted legislative powers to issue an ordinance when Parliament is not in session.
- The maximum validity of an ordinance is 6 months and 6 weeks.
- i.e. The law requires that an ordinance be approved by the Lok Sabha and Rajya Sabha within 6 months of its promulgation
- An ordinance will expire after 6 weeks once both houses of the Parliament are in session.
- A constitutional amendment cannot be made through ordinance route.
- **Ordinance-making power of the governor** under Article 213 is similar to that of the president under Article 123.
- The governor can issue ordinance only when two conditions are fulfilled
  - a. The governor can only issue ordinances when the legislative assembly of a state both houses in session or where there are two houses in a state both houses are not in session.
  - b. The governor must be satisfied that circumstance exist which render it necessary for him to take immediate action.
- The court cannot question the validity or the ordinance on the ground that there was no necessity or sufficient ground for issuing the ordinance by the governor.
- The existence of such necessity is not a justiciable discretionary and the exercise of ordinance-making power is not discretionary.
- The governor exercises this power on the advice of the cabinet.

## Carvery River

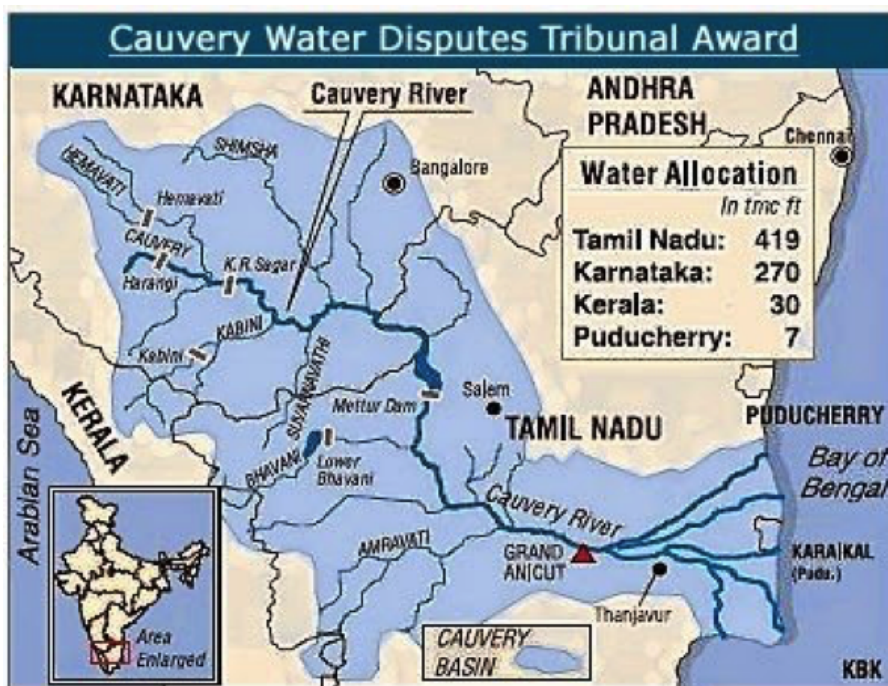
- Kaveri is an Indian river flowing through the states of Karnataka and Tamil Nadu.
- The Kaveri river rises at Talakaveri on the Brahmagiri range in the Western Ghats, Kodagu district of the state of Karnataka, at an elevation of 1341m above mean sea level and flows for about 800 km before its outfall into the Bay of Bengal.
- It is the third largest river after Godavari and Krishna - in South India and the largest in Tamil Nadu which, on its course, bisects the state into North and South.
- Kaveri has many tributaries including Harangi, Hemavati, Kabini, Bhavani, Lakshmana Tirtha, Noyyal and Arkavati.
- The river basin covers three states and a Union Territory as follows:
  1. Tamil Nadu, 43,868 KM<sup>2</sup>
  2. Karnataka, 34,273 KM<sup>2</sup>



3. Kerala, 2,866 KM<sup>2</sup>

4. Puducherry, 148 KM<sup>2</sup>

- In Chamarajanagar district it forms the island of Shivanasamudra, on either side of which are the scenic Shivanasamudra Falls that descend about 100 metres (330 ft).
- It was profusely described in the Tamil Sangam literature and is held in great reverence in Hinduism.



### Briefing of Cauvery Water Dispute

- In 1924, Tamil Nadu built the Mettur dam across the Cauvery River.
- Subsequently, Karnataka and Tamil Nadu signed an agreement effective for 50 years.
- On completing 50 years, the accord lapsed in 1974, in these years Cauvery River primarily served the needs of farmers in Tamil Nadu.
- To make up the lost ground, Karnataka attempted to expand farming activities in the Cauvery basin, it started building reservoirs.
- With this, the Cauvery river water sharing issue emerged, It is now a major water sharing dispute among Tamil Nadu, Karnataka, Puducherry and Kerala.
- By Tamil Nadu's demand, the Union government formed the Cauvery Water Disputes Tribunal (CWDT) in 1990, the dispute was adjudicated by the CWDT in 2007.
- According to the tribunal's order, the total availability of water in the 802-km long Cauvery basin is 740 tmc in a normal year.

- Of the total 740 thousand million cubic feet (TMC) of water available for utilization -
1. 419 TMC was awarded to Tamil Nadu
  2. 270 TMC to Karnataka
  3. 30 TMC to Kerala
  4. 7 TMC to Puducherry
  5. The remaining 14 TMC was reserved for environmental protection.
- To achieve this sharing, the order stated that Karnataka must release 192 TMC of water from Biligundlu Station (inter-state dam) in normal monsoon years, this should be at the rates specified by the tribunal for each month.
  - The tribunal also noted that in case the yield was less in a distress year, the allocated shares shall be proportionately reduced.
  - Both Tamil Nadu and Karnataka challenged the tribunal's order.
  - Karnataka claimed 312 TMC of water as against the 270 TMC ordered by the tribunal, the court reserved its order in September 2017.
  - In 2017 SC verdict -The Court declared Cauvery a "national asset", It upheld the principle of equitable apportionment of inter-State river water among riparian States.
  - In 2018 verdict, the Supreme Court has thus reduced the allocation of Cauvery water from Karnataka to Tamil Nadu.
  - The final allocation for a total of 740 TMC is - Karnataka: 284.75 (270 + 14.75) TMC, Tamil Nadu : 404.25 (419 - 14.75) TMC.
  - SC has also directed the formation of the Cauvery Management Board (CMB).
  - The water allocation arrangement will stand unchanged for the next 15 years.

State	Quantity of water allocated <b>(Latest)</b>
Karnataka	284.75 tmcft, including 4.75 tmcft for Bengaluru
Tamil Nadu	404.25 tmcft
Kerala	30 tmcft
Puducherry	7 tmcft

## **Cauvery Management Board (CMB)**

- Under Inter-State River Water Dispute Act, 1956, the CWDT (Cauvery Water Dispute Tribunal) referred to the mechanism as 'Cauvery Management Board'.
- It recommended that the CMB be constituted on the lines of the Bhakra

Beas Management Board (BBMB).

- CWDT further recommended that CMB be entrusted with the function of supervision of the operation of reservoirs and the regulation of water released therefrom with the assistance of the Cauvery Water Regulation Committee (CWRC).
- The CWRC is to be constituted by the Board.
- CMB will be an inter-state forum which will work to ensure the implementation of orders of the CWDT, monitor the storage position in the Cauvery basin and the trend of rainfall and assess the likely inflows for distribution among the States.
- The CMB will have three full-time members including a chairman.
- It will also consist of six part-time members, four of them will be from the riparian States of Karnataka, Kerala, Tamil Nadu, and the Union Territory of Puducherry.
- The Board shall be under the control of the Ministry of Water Resources.
- The expenses of the Board will be borne by the state governments.

### **Cauvery Water Regulation Committee**

- Cauvery Water Regulation Committee will assist the Cauvery Management Authority, which was also constituted by the Centre, to implement the Cauvery Water Disputes Tribunal award as modified by the SC.
- The nine-member committee is designed to have representatives from four states of the Cauvery basin - Karnataka, Tamil Nadu, Kerala, Puducherry.
- Chief Engineer of the Central Water Commission will head the committee.
- While the Authority will be headquartered in New Delhi, the Committee will have its headquarters in Bengaluru and will be formed without a representative from Karnataka.
- The Karnataka government refused to nominate a representative to the committee until its grievances are heard.
- The Cauvery Water Regulation Committee (CWRC) is to ensure that the Tribunal's order is carried out in due spirit.

### **Cauvery Water Management Authority (CWMA)**

- Central Government, in exercise of the powers conferred by the Inter-State River Water Disputes Act, 1956 (33 of 1956) had constituted the Cauvery Water Disputes Tribunal (Autonomous) .
- It aims to adjudicate upon the water dispute regarding the Inter-State river Cauvery and the river valley thereof among the States of Karnataka, Kerala, Tamil Nadu and Union territory of Puducherry.



- The Tribunal investigated the matters referred to it and forwarded to the Central Government.
- The Central Government notified the Cauvery Water Management Scheme on June, 2018, inter alia, constituting the 'Cauvery Water Management Authority' and the 'Cauvery Water Regulation Committee' to give effect to the decision of the Cauvery Water Disputes Tribunal as modified by Supreme Court's order, dated 16th February, 2018 on Cauvery dispute.
- Recently union government decided to bring the Cauvery Water Management Authority (CWMA) under the Ministry of Jal Shakti.

### **Central Water Commission**

- Central Water Commission is a premier Technical Organization of India in the field of Water Resources and is presently functioning as an attached office of the Ministry of Water Resources, River Development and Ganga Rejuvenation, Government of India.
- The Commission is entrusted with the general responsibilities of initiating, coordinating and furthering in consultation of the State Governments concerned, schemes for control, conservation and utilization of water resources throughout the country, for purpose of Flood Control, Irrigation, Navigation, Drinking Water Supply and Water Power Development.
- It also undertakes the investigations, construction and execution of any such schemes as required.

### **United States Trade Representative (USTR)**

- United States Trade Representative (USTR) is the United States government agency responsible for developing and recommending US trade policy to the president of the United States.
- It conducts trade negotiations at bilateral and multilateral levels, and coordinating trade policy within the government through the interagency Trade Policy Staff Committee (TPSC) and Trade Policy Review Group (TPRG).
- It is established as the Office of the Special Trade Representative (STR) under the Trade Expansion Act of 1962, the USTR is part of the Executive Office of the President.
- USTR has released its Annual Special 301 Report recently.

### **Findings of Annual Special 301 Report**

- The Special 301 Report is prepared annually by the Office of the United States Trade Representative (USTR) that identifies trade barriers to

United States companies and products due to the intellectual property laws, such as copyright, patents and trademarks, in other countries.

- By April 30 of each year, the USTR must identify countries which do not provide "adequate and effective" protection of intellectual property rights or "fair and equitable market access to United States persons that rely upon intellectual property rights".
- The annual Special 301 Report includes a list of "Priority Foreign Countries", that are judged to have inadequate intellectual property laws; these countries may be subject to sanctions.
- In addition, the report contains a "Priority Watch List" and a "Watch List", containing countries whose intellectual property regimes are deemed of concern.
- India continues to be on the 'Priority Watch List' of the United States Trade Representative (USTR) for lack of adequate intellectual property (IP) rights protection and enforcement.
- India remained one of the most challenging economies for IP enforcement and protection, the report said, using language it has used previously.
- Algeria, Argentina, Chile, China, Indonesia, Russia, Saudi Arabia, Ukraine and Venezuela are also on the Priority Watch List.
- While India made "meaningful progress" to enhance IP protection and enforcement in some areas over the past year, it did not resolve recent and long-standing challenges, and created new ones.
- The report also mentioned India's high customs duties on medical devices and Information and Communications Technology.
- The USTR also noted that India was ranked among the top five source economies for fake goods by the Organization of Economic Development and Cooperation (OECD) in 2019.

### **SC verdict on NEET**

- The National Eligibility cum Entrance Test-Under Graduate (NEET (UG)), succeeded from All India Pre-Medical Test (AIPMT) is an entrance examination in India for students who wish to study undergraduate medical courses (MBBS) and dental courses (BDS) in government or private medical colleges and dental colleges in India.
- NEET is conducted by the National Testing Agency (NTA), which provides the results to the Directorate General of Health Services at the Ministry of Health and Family Welfare.
- Prior to 2019, the test was administered by the Central Board of Secondary Education (CBSE) in partnership with Prometric Testing Pvt

Ltd headquartered in the USA.

- NEET-UG replaced the All India Pre Medical Test (AIPMT) and all individual MBBS exams conducted by states or colleges themselves in 2013.
- However, many colleges and institutes had taken a stay order and conducted private examinations for admission to their MBBS and BDS courses.
- Undergraduate courses at the All India Institute of Medical Sciences in New Delhi and Jawaharlal Institute of Postgraduate Medical Education & Research (JIPMER) are outside the NEET's purview, as these institutes were set up by separate laws.
- SC recently held that the National Eligibility-cum-Entrance Test (NEET) is mandatory for admission to medical colleges run by religious and linguistic minority communities.
- NEET would apply for both aided and unaided medical colleges administered by minorities.
- Earlier Religious minority educational institutions reached SC, and argued that imposing NEET would violate their fundamental rights of religious freedom, to manage their religious affairs, to administer their institutions.
- They said the State was reneging its obligation to act in the best interest of minorities.
- Uniform entrance exams would ensure improvement in future public health by encouraging merit in furtherance of the Directive Principles enshrined in the Constitution.

**Source:** The Hindu

