

Judicial majoritarianism

What is judicial majoritarianism?

- As opposed to standard matters heard by Division Benches consisting of two judges, numerical majorities are of particular importance to cases which involve a substantial interpretation of constitutional provisions.
- In such cases, Constitutional Benches, consisting of five or more judges, are set up in consonance with Article 145 (3) of the Constitution.
- Such Benches usually consist of five, seven, nine, 11, or even 13 judges.
- This is done to facilitate decision-making by ensuring numerical majorities in judicial outcomes.
- The requirement for a majority consensus flows from Article 145(5) of the Constitution which states that no judgment in such cases can be delivered except with the concurrence of a majority of the judges but that judges are free to deliver dissenting judgments or opinions
- Unlike elected leaders of legislatures who may act on hunches or popular perception, judges are experts of law and are aware of the arguments for and against an impugned matter.

- The rulings of judges can be colored by their subjective experiences, perceptions, prejudices, and biases. Consequently, judges and their judgments can fall prey to 'judicial hunches'.
- In such a situation, a meritorious minority decision, irrespective of the impeccability of its reasoning, receives little weightage in terms of its outcomes.
- Our Constitutional history is replete with such meritorious dissents.

THE HINDU

UPI For NRI

- On January 10, the National Payments Corporation of India (NPCI) paved the way for international (phone) numbers to be able to transact using UPI
- In a nutshell, non-resident accounts such as non-resident external accounts (NRE) and non-resident ordinary accounts (NRO), having international numbers, will now be allowed into the UPI payment system.
- The NPCI had allowed UPI transactions to and from NRO/NRE accounts linked to Indian numbers back in October 2018.
- NRE accounts are those used by non-residents to transfer earnings

from foreign soil to India while NRO accounts are used to manage income earned in India by non-residents.

- These incomes could be rent, interest, and pension, among other things.
- At present, users from ten countries will be able to avail of the facility Singapore, Australia, Canada, Hong Kong, Oman, Qatar, the U.S., Saudi Arabia, UAE, and the U.K
- The development would allow NRIs to use the payment method for making utility bill payments for their families (or themselves) in India, make purchases from e-commerce or online platforms and make payments to physical merchants who accept UPI QR-based payments when they travel to India.

What is the discussion on MDR?

- The Merchant Discount Rate (MDR) is the charge recovered by the acquirer from the final recipient of the payment, that is, the merchant.
- It is collected by the acquirer to compensate the varied service providers and intermediaries in the payment system.
- Presently, there is no MDR charge levied for RuPay- based on debit card and UPI transactions.

- Stakeholders are hence concerned over cost recovery for the services they provide.

THE HINDU

Domestic violence act

- The Delhi High Court has stayed proceedings under the Protection of Women against Domestic Violence Act in a case where a man moved a local court accusing his wife.
- “The very title of the Act is self-explanatory that the protection and recourse are limited to a woman being an aggrieved person.
- Objectives of the Domestic Violence Act, 2005
- To identify and determine that every act of domestic violence is unlawful and punishable by law.
- To provide protection to victims of domestic violence in the cases such acts occur.
- To serve justice in a timely, cost-effective, and convenient manner to the aggrieved person.
- To prevent the commission of domestic violence and to take adequate steps if such violence occurs.
- To implement sufficient programs and agendas for the victims of domestic violence and to guarantee the recovery of such victims.

- Appointment of Protection Officers
 - Protection Officers are appointed by the State Government.
 - The number of Protection Officers may vary from district to district depending on the size and necessity.
 - Section 10 of the Act, lays down the functions and duties of service providers.
 - Service providers are defined under the Act as any voluntary association registered under the Societies Registration Act, 1860 or a company that is registered under the Companies Act, 1956 which aims to protect the rights of the women lawfully by providing legal aid, medical, financial or other assistance.
 - If any victim of domestic violence requires a shelter home then under Section 6 of the Act, the person in charge of a shelter home will provide suitable shelter to the victims of domestic violence in the shelter home.
- families and habitations with basic facilities, Odisha being home to the highest number of PVTG communities in the country is likely to be benefited the most.
- In fact, given the amount of experience, Odisha possesses in handling focused and holistic programs for PVTGs in the past decade, the State could be a first as well as best mover among all States as far as the newly announced tribal programme was concerned.
 - Of the 75 PVTGs identified in India, 13 such tribes live in Odisha.
 - Odisha has also been a beneficiary of the Conservation-cum-Development (CCD) scheme, for which the Union Ministry of Tribal Affairs allocates 100% financial assistance to the State governments having PVTG communities
 - Tribal communities are often identified by some specific signs such as primitive traits, distinctive culture, geographical isolation, shyness to contact with the community at large and backwardness.
 - Along with these, some tribal groups have some specific features such as dependency on hunting, gathering for food, having pre-agriculture level of technology, zero or negative

THE HINDU

PVTG

- As Union Finance Minister announced to launch of the Pradhan Mantri PVTG (Particularly Vulnerable Tribal Group) Development Mission in order to saturate the PVTG

growth of population and extremely low level of literacy.

- These groups are called Particularly Vulnerable Tribal Groups.
- PVTGs are more vulnerable among the tribal groups.
- The government of India follows the following criteria for the identification of PVTGs.
- Pre-agricultural level of technology
- Low level of literacy
- Economic backwardness
- A declining or stagnant population.
- Accordingly, 75 PTVGs have been identified in the country.
- The characteristics of PVTGs
- In 1973, the Dhebar Commission created Primitive Tribal Groups (PTGs) as a separate category, who are less developed among the tribal groups.
- In 2006, the Government of India renamed the PTGs as Particularly Vulnerable Tribal Groups (PVTGs).
- PVTGs have some basic characteristics -they are mostly homogenous, with a small population, relatively physically isolated, social institutes cast in a simple mould, absence of written language, relatively simple technology, and a slower rate of change, etc.

THE HINDU

iCET

- India and the U.S., on Tuesday, launched a programme to enhance their strategic partnership inaugural dialogue of the Initiative on Critical and Emerging Technologies (iCET). The two sides announced a set of programmes whose aim is to increase the depth and scope of bilateral cooperation in cutting edge technology, including in the defence sector.
- The iCET seeks to build supply chains that increase co-production and co-development between the countries and increase linkages between the countries' start-up ecosystems, both governments said in their statements describing the dialogue.
- A White House 'fact sheet' released after the meeting highlighted six areas of planned cooperation: strengthening innovation ecosystems, defense innovation and technology cooperation, resilient semiconductor supply chains, space, STEM talent, and next-generation telecommunications.
- The programs include a Research Agency Partnership between the U.S. National Science Foundation and Indian science agencies; a mechanism to cooperate on

quantum computing that will also involve academia and industry; developing a new defense industrial cooperation roadmap; supporting the development of semiconductors in India, including by setting up a task force to identify opportunities; and increasing space cooperation, including human spaceflight

- Also announced was a private public dialogue to further 5G/6G cooperation and the adoption of Open RAN (technology to connect phones to each other and to the Internet) in India.
- The U.S. also committed to a speedy review of an application from General Electric to produce jet engines in India for India-manufactured Light Combat Aircraft

THE HINDU

New start treaty

- The New Strategic Arms Reduction Treaty (New START) was signed April 8, 2010, in Prague by the United States and Russia and entered into force on Feb. 5, 2011.
- New START replaced the 1991 START I treaty, which expired December 2009, and superseded the 2002 Strategic Offensive Reductions Treaty (SORT), which terminated when New START entered into force.

- New START continues the bipartisan process of verifiably reducing U.S. and Russian strategic nuclear arsenals begun by former Presidents Ronald Reagan and George H.W
- Main Treaty Limits (Article II).
- Nuclear warhead limit
- Missile, bomber and launcher limits
- Force structure: Each side has the flexibility to structure its nuclear forces as it wishes, within the overall limits of the treaty.
- New START (Strategic Arms Reduction Treaty) was the last remaining arms reduction pact between the former Cold War rivals and caps to 1,550 the number of nuclear warheads that can be deployed by Russia and United States of America.
- Its duration was for ten years that is till 2021, but it was extended by five more years till 2026.

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