

DECEMBER

7

CRUX 10

10 News. 10 Sources. One Place



 **The Indian EXPRESS** live **mint** **पॉइंट**

DownToEarth
FORTNIGHTLY ON POLITICS OF DEVELOPMENT,
ENVIRONMENT AND HEALTH

**Science
Reporter**



MK Yadav Sir

Table of Contents

- 1 Pompe Disease
- 2 Committees of Parliament
- 3 Gram Manchitra Application
- 4 Parliamentary Grnats
- 5 India Infrastructure Report
- 6 Lakadong Turmeric
- 7 Jammu Kashmr Assembly Bills
- 8 NHRC
- 9 Intangible Cultural Heritage
- 10 Group of Companies Doctrine

Bringing up Nidhi: 24 years with India's 'first' Pompe patient

RUPSA CHAKRABORTY
MUMBAI, DECEMBER 6

AS THEY held their newborn daughter in Karnataka's Hubli, nearly 400 km from Bengaluru, Prasanna Shirol and his wife Sharda felt a fierce outpouring of love, something that would see them through the turbulent 24 years that would follow.

"Nidhi had recurrent bouts of pneumonia after she turned six months old. There were developmental delays... she never crawled like other children. Doctors suspected glycogen (the stored form of glucose) storage disease, but there was no diagnosis. Seven years and 40 doctors later, in 2007, we finally had a name for what she was struggling with — Pompe disease," says 53-year-old Prasanna.

Nidhi, India's first patient diagnosed with the rare genetic disorder, died on November 5 after spending nearly six years in a semi-comatose state. A rare inherited disorder that affects one child per million, Pompe disease is caused by a deficiency of the enzyme acid alpha-glucosidase (GAA). It results in the accumulation of glycogen in cells, particularly in muscles. Some common side effects and symptoms in-

clude muscle weakness, respiratory issues, heart problems and difficulty swallowing.

Although no cumulative government data is available, there are about 50 individuals in India who currently suffer from Pompe disease.

Following Nidhi's death, the 24-year-old's parents donated her corneas while her brain has been donated to the brain bank at the National Institute of Mental Health and Neuro-Sciences (NIMHANS), a Bengaluru-based facility dedicated to the preservation and study of brain tissues for research.

"If someone wants to learn about Pompe disease, they can use Nidhi's brain to help others," says Prasanna, who left his corporate job with Reliance in Hubli after Nidhi's diagnosis and moved to Bengaluru with his pre-natal maker wife to become a full-time advocate for patients with rare diseases.

"For us, Nidhi will live through these two individuals (who receive her corneas). Even though we will never see or meet them, she will finally see the world in a way she couldn't," he says.

On their struggles to get Nidhi diagnosed, he says, "She spent most of her childhood in a wheelchair. By the time she was finally

diagnosed, she was already breathing with the help of BiPAP (a breathing support device)."

There was no treatment in India for Pompe disease in 2007, but the determined Shirols reached out to a Netherlands-based doctor who facilitated Nidhi's enrollment in an enzyme replacement therapy by a US-based drug manufacturer. The pharma company covered the cost of the trial — Rs 15 crore per year — under its international access programme since Nidhi was India's first diagnosed case of Pompe disease.

For Shirols, the trial would prove to be a blessing. "After seven years of being bedridden, her condition started improving. We were the happiest we had ever been," says Prasanna.

A year later, in 2008, Sharda got pregnant again but a prenatal test revealed that the foetus had a 50 per cent chance of developing Pompe disease. "We decided to terminate the pregnancy and focus all our attention on Nidhi instead," he says.

Prasanna says he has spent over Rs 4 crore on Nidhi's treatment and care since 2000. He even ordered wheelchairs that were capable of accommodating all the machines she needed to survive — an uninterrupted



It took 40 doctors for Prasanna Shirol and his wife Sharda to get a name for what Nidhi was suffering from — Pompe disease

power supply (UPS), a suction machine and a ventilator. He acquired six wheelchairs over 24 years because "they would either malfunction due to electrical short circuits or become unsuitable for Nidhi's growing body."

"I sold all my property and my house to take care of Nidhi. My father, relatives and friends gave me interest-free loans," says Prasanna, adding that he owes his well-wishers Rs 1.5 crore.

His own situation made him realise the plight of poor families, who couldn't even afford to get an enzyme test, which costs

from 5,000 to Rs 50,000, for a diagnosis.

So he established India's first Pompe Foundation. With Nidhi being India's sole Pompe patient then, the foundation didn't quite take off. Eventually, he began receiving calls from doctors across the country on patients with rare diseases. Though the demand was significant, there was no one to guide helpless parents. So Prasanna quit his job in 2010 and founded the Organisation for Rare Diseases India (ORDI), the first NGO in the country for rare diseases.

Around this time, Nidhi se-

cured admission in school. "Sharda would sit next to the class door to help Nidhi with her bathroom breaks and suction needs (to clear liquid or semi-solid blockages in her oral cavities)," says Prasanna, adding that Nidhi scored above 65 percent in her secondary and higher secondary.

Meanwhile, the drug intake led to the development of antibodies, requiring Nidhi to undergo immunosuppressive chemotherapy. Her spine started bending gradually, making it difficult for her to sit straight in the wheelchair. At the age of 13, Nidhi underwent a surgery that involved the straightening of her bone marrow using two rods and 24 screws.

Everything was fine till 2017. Despite having enough charge to last 2.5 hours, Nidhi's portable ventilator switched off suddenly during her college's annual function. Before Sharda could find a plug point, Nidhi suffered a cardiac arrest and a stroke. Since oxygen supply to her brain stopped, she developed hypoxia and slipped into a semi-comatose state.

"Parts of her brain got damaged due to the stroke. She would move her eyes and respond to music at times, but her condition was irreversible," says Prasanna.

With Nidhi being confined to bed in her Bengaluru home, her parents transformed her room into a complete intensive care unit (ICU).

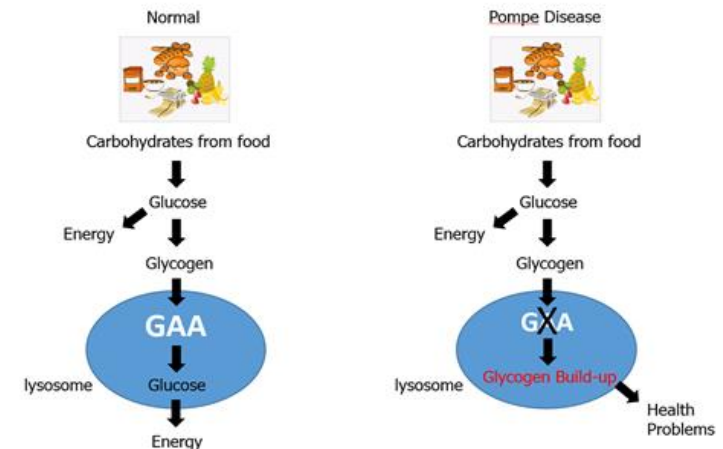
On October 29, Nidhi developed some complications and was rushed to the hospital. Her condition improved initially and she was moved from the ICU to the ward. However, she suffered a fatal cardiac arrest on November 5. Prasanna says clinical trials for rare diseases are restricted in India due to the limited number of patients.

"I tried to involve the government in becoming more proactive in arranging for treatment facilities for Pompe patients, but it is a numbers game for them. They are more focused on patients suffering from malnutrition and tuberculosis since patients with rare diseases struggle to live for even 30 years," says Prasanna, who has now become the face of rare diseases in India.

According to the Central government, an estimated 70 million people in India suffer from 450 rare diseases.

He adds, "Despite our struggles, Nidhi, Sharda and I embraced life with joy and created countless cherished memories. Sharda and I will now live to help other parents like us."

Pompe Disease



Context: Recently, India's first patient diagnosed with the Pompe disease died after spending nearly six years in a semi-comatose state.

Pompe Disease

- **About:** It (also known as acid-maltase disease and glycogen storage disease II) is a rare genetic disorder that causes progressive weakness to the heart and skeletal muscles.
- **Caused by:** Mutations in a gene that makes an enzyme called acid. alpha-glucosidase (GAA), which the body uses to break down glycogen, a stored form of sugar used for energy.
 - Pompe disease happens **when your body can't make a protein that breaks down** a complex sugar, called glycogen, for energy. Too much sugar builds up and damages your muscles and organs.
- **Types:** Onset - First few month of Life, Late Onset - Any Age
- **Symptoms:** Trouble eating and not gaining weight, Poor head and neck control, Rolling over and sitting up later than expected, Breathing problems and lung infections, Enlarged and thickening heart or heart defects and Enlarged liver.
- **Treatment:** The treatment includes enzyme replacement therapy (ERT).

The role of special inquiry committees of Parliament

Why is TMC MP Mahua Moitra facing an inquiry by the ethics committee of Parliament?

Rangarajan, R

The story so far:

The ethics committee of the Lok Sabha is believed to have recommended the expulsion of Trinamool Congress Member of Parliament (MP) Mahua Moitra from the Lok Sabha for her "unethical conduct" and "breach of privileges". This follows the ethics committee examining the complaints which accused her of asking questions to target a business house at the behest of a businessman in exchange for cash. She was also accused of sharing her log-in credentials with the businessman.

What is the role of ethics committee?

The ethics committee was constituted in 2000, to oversee the moral and ethical conduct of members and examine cases of 'unethical conduct' referred to it. The Committee examines complaints filed against members of the House by other

members; outsiders through a member, or referred by the Speaker. The Committee makes a *prima facie* inquiry before deciding to examine a complaint and presents its report to the Speaker, who places it before the House for consideration. It must be noted that the term 'unethical' is not defined. It is left to the Committee to decide whether any act is unethical or not. In 2007, an MP accompanying his close female companion, impersonating her as his wife was considered 'unethical' by the Committee. It recommended suspension of the MP from 30 sittings of the House.

What are privileges committees?

The privileges committee or special inquiry committee examines the more serious accusations against a member. In 1951, a special committee found a member guilty of promoting a business interest by putting questions in return for financial benefits. It was again a special committee that inquired into the 'cash for

query' scam of 2005 where 10 MPs of Lok Sabha were recommended for expulsion.

Is an expulsion constitutional?

The Constitution under Article 101 lists down the grounds for vacation of a seat by an MP. It includes voluntary resignation, disqualification and continuous absence from the House for 60 sittings. Expulsion is not mentioned explicitly in the Constitution. However, the Supreme Court has provided conflicting judgments in this regard. In *Raja Ram Pal versus Hon'ble Speaker* (2007), it upheld the power of Parliament to expel its members for breach of privilege by interpreting Article 101 to include expulsion as a ground.

But in *Amarinder Singh versus Special committee, Punjab Vidhan Sabha* (2010), the Supreme Court held expulsion by the State Assembly as unconstitutional. It held that such scenarios would frustrate the objectives of Parliamentary democracy.

Context: Recently, the **ethics committee of the Lok Sabha is believed** to have recommended the expulsion of Trinamool Congress Member of Parliament (MP) from the Lok Sabha for her "unethical conduct" and "breach of privileges."

Committee of Privileges

- **About:** It is a Parliamentary Committee present in both the Houses of the Parliament.
- **Composition:** 15 members in Lok Sabha (10 in case of Rajya Sabha) nominated by the Speaker (Chairman in case of Rajya Sabha).
- **Functions:** The committee reviews matters related to breaches of privilege.
 - The committee outlines the steps for the House to implement its recommendations.
 - **If the Speaker refers a privilege question** to the Committee, the Committee's report is presented to the Speaker, who may make final decisions or have it placed on the House's Table.

Ethics Committee in Parliament: Each house of the parliament has its own ethics committee.

- **Lok Sabha**
 - **Constitution:** 2000
 - **Composition:** 15 Members including Chairman
 - **Appointment:** By Lok Sabha Speaker
 - **Tenure:** 1 year.
- **Rajya Sabha**
 - **Constitution:** 1997
 - **Composition:** 10 Members including Chairman
 - **Appointment:** By Rajya Sabha Chairman
 - **Tenure:** 1 year.

Ministry of Panchayati Raj launched Geographic Information System application “Gram Manchitra” to encourage the Spatial Planning by the Gram Panchayat

Context: Recently, the Union Minister of State for Panchayati Raj informed the Lok Sabha about the Gram Manchitra application.

Gram Manchitra Application

- **About:** The Ministry of Panchayati Raj initiated the Geographic Information System (GIS) application known as "Gram Manchitra."
- **Features:** This application empowers Gram Panchayats to conduct planning at the local level, utilizing geo-spatial technology for effective decision-making.
- **Unified Geo-Spatial Platform:** "Gram Manchitra" serves as a single, unified Geo-Spatial platform, enhancing the visualization of developmental works across various sectors. It aids in decision support for the Gram Panchayat Development Plan (GPDP).
- **Mobile-Based Solution:** The Ministry introduced mActionSoft, a mobile-based solution enabling the capture of photos with Geo-Tags (GPS Coordinates) for works with assets as an output.
- **Geo-Tagging Process:** Assets undergo geo-tagging in three stages—before the work begins, during the work, and upon completion. This establishes a comprehensive repository of information on various works and assets related to multiple sectors.
- **Finance Commission Funds:** Assets created under the finance commission funds are geo-tagged with photographs by the Panchayats, ensuring transparency and accountability in fund utilization.

Significance

- These tools play a crucial role in **assisting Gram Panchayat officials in developing realistic** and achievable development plans.
- They **provide decision support for identifying potential project sites**, tracking assets, estimating project costs, and assessing project impacts.

Govt seeks nod for extra spend

TIMES NEWS NETWORK

New Delhi: The government on Wednesday sought parliamentary nod for an additional spend of nearly Rs 1.3 lakh crore, involving a net cash outgo of Rs 58,378 crore, as the food and fertiliser subsidy bill as well as spending on the rural employment guarantee scheme were higher than originally budgeted.

In the first of the two supplementary demand for grants tabled in Parliament, the government said that savings and receipts of nearly Rs 71,000 crore would limit the cash outgo.

So far, despite the additional spend the government is hopeful of meeting its overall fiscal deficit target of 5.9% of GDP as it expects to contain ex-

Subsidy, MGNREGA Bills Rise

Top spending heads involving cash outgo (₹ cr)

Fertiliser subsidy	13,351
Defence (pay & allowances)	9,378
Food subsidy	6,849
Election related	2,572

What does it mean?

The current cash outgo and the strong growth in tax collections suggest that Centre is on course to achieve its fiscal deficit target of 5.9% of GDP for the year, unless there are unexpected events or the Modi govt decides to splurge before the 2024 polls



penditure and is banking on higher direct and indirect tax collections as well as dividend receipts from the Reserve Bank of India and public sector entities. This is despite some additional expenditure expected in the vote on account or the interim Budget to be presented in February ahead of the announcement of general elections. A full Budget will only be presented in July.

Officials have argued that having deviated from the fiscal consolidation path due to the Covid pandemic, the government will seek to get back to a fiscal deficit of 4.5% by 2025-26.

In the supplementary demand for grants, the propo-

sed additional expenditure includes Rs 13,351 crore towards fertiliser subsidy and about Rs 7,000 crore towards spending by the department of food and public distribution, a large part of which will go towards foodgrains.

The government also sought parliamentary approval for an additional Rs 9,200 crore spending by the ministry of petroleum and natural gas and Rs 14,524 crore by the ministry of rural development towards MGNREGA. "The net cash outgo in the supplementary demand for grants is moderate, and could be matched by savings in other departments. This does not suggest a risk of the fiscal deficit target being overshoot," said Aditi Nayar, chief economist at ratings agency ICRA.

Context: Recently, the Indian government sought parliamentary approval for an **additional expenditure (Additional grant)** of nearly Rs 1.3 lakh crore, primarily allocated to higher-than-budgeted food and fertilizer subsidies, as well as spending on the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA).

Parliamentary Grants

- **Supplementary Grant:** It is granted when the amount authorised by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.
- **Additional Grant:** It is granted when a need has arisen during the current financial year for additional expenditure upon some new service not contemplated in the budget for that year.
- **Excess Grant:** It is granted when money has been spent on any service during a financial year in excess of the amount granted for that service in the budget for that year.
 - It is voted by the Lok Sabha after the financial year. Before the demands for excess grants are submitted to the Lok Sabha for voting, they must be approved by the Public Accounts Committee of Parliament.
- **Vote of Credit:** It is granted for meeting an unexpected demand upon the resources of India, when on account of the magnitude or the indefinite character of the service, the demand cannot be stated with the details ordinarily given in a budget.
 - Hence, it is like a blank cheque given to the Executive by the Lok Sabha.
- **Exceptional Grant:** It is granted for a special purpose and forms no part of the current service of any financial year.
- **Token Grant:** It is granted when funds to meet the proposed expenditure on a new service can be made available by reappropriation.
 - A demand for the grant of a token sum (of Re 1) is submitted to the vote of the Lok Sabha and if assented, funds are made available.

India Infrastructure Report 2023 released

Context: The India Infrastructure Report 2023 on Urban Planning and Development was released by former Vice-President of India.

India Infrastructure Report 2023

- **Policy Landscape:** The document comprises 25 chapters that delve into the policy ecosystem, offering insights into the existing state of urban development.
- **Focus:** Specific attention is given to urban governance topics, including urban transportation planning and urban redevelopment, reflecting a holistic approach to city management.
- **Role of Digital Technology:** Emphasis is placed on the transformative role of digital technology in urban development, with a spotlight on smart cities and the performance-based ranking of cities.
- **Financial Dimensions Explored:** The report delves into financial aspects such as the financial sustainability of urban local bodies, the dynamics of public-private partnerships (PPPs), and the effectiveness of municipal bonds.
- **Services:** Special attention is dedicated to critical urban issues, including housing, migration patterns, and the delivery of public services, recognizing their pivotal roles in urban dynamics.

India Infrastructure Report (IIR)

- **About:** It is an annual publication initiated by the IDFC Foundation in 2001.
- **Published by:** IDFC Foundation, Infrastructure Development Corporation (Karnataka) Ltd. (iDeCK) and the National Institute of Urban Affairs (NIUA).
- **Objectives:** To identify and analyze holistic aspects related to infrastructure development and to provide resources for formulating urban policy.

Meghalaya's Lakadong turmeric gets Geographical Indication tag

Context: Recently, Meghalaya's Lakadong turmeric has been awarded the Geographical Indication (GI) tag.

Lakadong Turmeric

- **About:** It is renowned globally as one of the finest turmeric varieties, boasting a curcumin content ranging from 6.8 to 7.5 percent.
- **Organic Cultivation Practices:** This turmeric variant distinguishes itself by its darker hue, owing to its cultivation through organic methods without the use of fertilizers.
- **Geographic Specificity:** Indigenous to the Lakadong area of Jaintia Hills, this turmeric variety is characterized by its high curcumin content, setting it apart from other turmeric types.
- **Meghalaya's Diverse GI Products:** Meghalaya proudly boasts other GI products, including Garo Dakmanda (traditional dress), Larnai pottery, and Garo Chubitchi (alcoholic beverage), each recognized for their unique cultural and regional significance.

GI Tag

- **About:** It is a symbol used on items that come from a particular geographical area and have qualities or a reputation linked to that place of origin.
- **Nodal Ministry:** Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry.
- **Tenure:** 10 Years
- **Regulated By:** Geographical Indications of Goods (Registration & Protection) Act, 1999.
- The World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) also regulates Geographical Indications.
- **India's First GI Product:** Darjeeling Tea (2004-05).

Context: Recently, the Lok Sabha passed the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023, and the Jammu and Kashmir Reservation (Amendment) Bill, 2023.

114 seats, migrant quota cleared for J&K Assembly

Lok Sabha passes Bill: Amit Shah says reservation of seats for those displaced in the 1990s will ensure that the voice of the community is heard loud and clear in the new House

Vijaita Singh
NEW DELHI

The Lok Sabha on Wednesday passed the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023, and the Jammu and Kashmir Reservation (Amendment) Bill, 2023, the former seeking to reserve seats for "Kashmiri migrants, people displaced from Pakistan-occupied Kashmir [PoK] and Scheduled Tribes" in the yet-to-be constituted 114-seat J&K Assembly.

Responding to statements made by Opposition members that abrogation of Article 370 of the Constitution in J&K could not put an end to terrorism, Union Home Minister Amit Shah said that he had never made such a claim.

He said a "zero-terror" plan, formulated three

Making changes

A look at the J&K Reorganisation (Amendment) Bill and the J&K Reservation (Amendment) Bill

■ The Reorganisation Bill increases the total number of seats in the J&K Assembly to 114 from 107

■ Nine seats are reserved for the Scheduled Tribes for the first time

■ It also empowers the Lieutenant-Governor to nominate three members to the Assembly - two members from the Kashmiri migrant



Point of view: Home Minister Amit Shah speaks in the Lok Sabha on Wednesday. PTI

community, with one nominee being a woman, and one member from among the people from PoK who took refuge in India following the wars with Pakistan in 1947, 1965 and 1971

■ The Reservation Bill seeks to replace the term "weak and underprivileged classes (social castes)" in the J&K Reservation Act, 2004 to "other backward classes"

years ago, will be "100% implemented" by 2026 in J&K.

He said the reservation of seats for Kashmiri migrants, who were displaced from their own homes in the 1990s, will ensure that the voice of the community is heard "loud and clear in the J&K Assembly" and if any such

crisis arises in future, they are able to stop it.

The Reorganisation Bill increases the total number of seats in the J&K Assembly from 107 to 114, with reservation of nine seats for the Scheduled Tribes for the first time. It also empowers the Lieutenant-Governor to nominate three members in the Assembly

— two from the Kashmiri migrant community including one woman, and the third member being a representative of people from PoK who took refuge in India following the wars with Pakistan in 1947, 1965 and 1971.

CONTINUED ON
» PAGE 12

Jammu and Kashmir Reorganisation (Amendment) Bill, 2023

- **Expansion of J&K Assembly Seats:** This Bill proposes an increment in the total number of seats in the Jammu and Kashmir Assembly from 107 to 114.
- **Scheduled Tribes Reservation:** As a notable change, the bill introduces the reservation of nine seats for Scheduled Tribes, marking the first time such a provision has been made.
- **Basis on Delimitation Commission Report:** The increase in the number of seats aligns with the recommendations put forth by the Delimitation Commission.
- **Empowerment of Lieutenant-Governor:** The bill grants the Lieutenant-Governor the authority to **nominate three members in the Assembly**, including **two from the Kashmiri migrant community, one of whom must be a woman.**
 - Additionally, **the third member is to be a representative of individuals** from Pakistan-occupied Kashmir (PoK) who sought refuge in India after the wars with Pakistan in 1947, 1965, and 1971.
- **Amendment in Terminology:** The J&K Reservation Bill aims to substitute the term "weak and underprivileged classes (social castes)" with "other backward classes" in the J&K Reservation Act of 2004.
- **Target of the 2004 Act:** The 2004 Act specifically addresses reservations concerning appointments and admissions in professional institutions.
- **It focuses on members belonging** to Scheduled Caste, Scheduled Tribe, and other socially and educationally backward classes.

Manipur to submit report on de-escalation steps to NHRC

Saptarshi Das

letters@hindustantimes.com

NEW DELHI: The Manipur government will in a few weeks submit to the National Human Rights Commission a report on efforts taken by the administration to "de-escalate the violent situation (in the state) and return to normalcy," the body's chairperson Justice (ret'd) Arun Kumar Mishra said on Wednesday.

The report will include details of compensation disbursed to

people affected, management of blockades on national highways, and an update on the well-being of those in relief camps," he added, pointing out both the decades-long issue behind ethnic violence in the state, and the fact that the current situation, "is not normal".

HT reported on 5 December that at least 13 people were killed in a fresh incident of violence on Monday afternoon — the highest single-day toll reported in the state in six months and one that punctured the tenuous peace in



Justice (ret'd) Arun Mishra

the strife-torn region once again.

"We have asked Manipur government to make an endeavour and to make peace. Large number of people including the ones in the government are residing in the relief camp so we have

issued direction that there should be regular health facilities provided, good educational facilities, employment and livelihood opportunities to the incumbent besides nutritious food," Mishra added.

The Supreme Court appointed panel headed by former chief justice of J&K high court, Gita Mittal, submitted a report on release of ex-gratia payment, given to families of 169 people who were killed and identified. This include three members from the central security forces -

two from the Border Security Force (BSF) and one from the Assam Rifles, and three personnel of the Manipur Police.

In November, NHRC held a two-day camp in Guwahati to hear cases from the northeastern states during which it asked the Manipur government to pay ₹10 lakh compensation each within four weeks to the next of kin of all the people who died in ethnic clashes since May. The rights body also asked the state to clear the blockade on National Highways 2 and 37.

Context: The Manipur government recently announced its intention to submit a comprehensive report to the National Human Rights Commission in the coming weeks, detailing the recent efforts undertaken by the administration to "de-escalate the violent situation in the state and return to normalcy."

National Human Rights Commission (NHRC)

- **About:** It is an independent statutory body in 1993 under the provisions of Protection of Human Rights Act, 1993, later amended in 2006.
- **Headquarters:** New Delhi.
- **Composition:** One Chairperson, five full-time Members and seven deemed Members.
 - A person who has been the Chief Justice of India or a judge of the Supreme Court can become a chairman.
- **Appointment:** Appointed by the President on the recommendations of a 6 member committee consisting of the Prime Minister.
- **Tenure:** 3 years or until they attain the age of 70 years, whichever is earlier.
- **Removal:** On the charges of proved misbehavior or incapacity, if proved by an inquiry conducted by a Supreme Court Judge.
- **Function:** It is the watchdog of human rights in the country, that is, the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the international covenants and enforceable by courts in India.

Garba of Gujarat included in Unesco's Intangible Cultural Heritage list

Context: Recently, **UNESCO approved** the inclusion of **Gujarat's traditional Garba dance** in its 'Representative List of the Intangible Cultural Heritage of Humanity.'

Intangible Cultural Heritage of Humanity

- **About:** UNESCO established its Lists of Intangible Cultural Heritage with the aim of ensuring better protection of important intangible cultural heritages worldwide and the awareness of their significance.
- **List Published by:** Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage.
- **Established:** In 2008 when the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage took effect.
- **Gujarat's Garba dance:** It is the 15th Intangible Cultural Heritage element from India to join this list.
- The addition highlights Garba's pivotal role as a unifying force that fosters social and gender inclusivity, according to an official press release.

Garba Dance

- **About:** It is a form of Gujarati dance which originates from the state of Gujarat, India.
 - It is a ritualistic and devotional dance that is performed on the occasion of the Hindu festival of Navaratri, which is dedicated to the worship of the feminine energy or 'Shakti'.
 - The dance takes place around a perforated earthenware pot lit with an oil lamp, or an image of the mother goddess Amba.
- Modern Garba is **also heavily influenced by Dandiya Raas**, a dance traditionally performed by men.

SI No	ICH Element	Year of Inscription
1	Tradition of Vedic chanting	2008
2	Ramlila, the traditional performance of the Ramayana	2008
3	Koodiyattam, Sanskrit theatre	2008
4	Ramman, religious festival and ritual theatre of the Garhwal Himalayas, India	2009
5	Mudi yettu, ritual theatre and dance drama of Kerala	2010
6	Kalbelia folk songs and dances of Rajasthan	2010
7	Chhau dance	2010
8	Buddhist chanting of Ladakh: recitation of sacred Buddhist texts in the trans-Himalayan Ladakh region, Jammu and Kashmir, India	2012
9	Sankirtana, ritual singing, drumming and dancing of Manipur	2013
10	Traditional brass and copper craft of utensil making among the Thatheras of Jandiala Guru, Punjab, India	2014
11	Yoga	2016
12	Nawrouz, Novruz, Nowrouz, Nowrouz, Nawrouz, Nauryz, Nooruz, Nowruz, Navruz, Nevruz, Nowruz, Navruz	2016
13	Kumbh Mela	2017
14	Durga Puja in Kolkata	2021

Arbitration pacts binding on all companies in a group: SC

Apex court says pact is binding even on non-signatory firms that are part of the group

PTI
feedback@livemint.com
NEW DELHI

In a significant verdict, the Supreme Court (SC) on Wednesday held that an arbitration agreement can be binding on non-signatory firms under the "group of companies" doctrine. According to the doctrine, a firm which is not a signatory to an arbitration agreement between two parties can be held bound if such a company is part of the same group of companies which agreed to such a clause or agreement.

A five-judge constitution bench headed by Chief Justice D.Y. Chandrachud made the ruling in its judgement on a plea filed by Cox and Kings Ltd in a dispute arising out of arbitration agreement.

"The 'group of companies' doctrine must be retained in the Indian arbitration jurisprudence

considering its utility in determining the intention of the parties in the context of complex transactions involving multiple parties and multiple agreements," the bench said in its judgement.

Besides the chief justice, Justices Hrishikesh Roy, P.S. Narasimha, J.B. Pardiwala and Manoj Misra were part of the bench that delivered the unanimous judgment.

The judgement said it was not necessary that only those who are signatories to an arbitration agreement are bound by it. "Requirement of a written arbitration agreement does not mean that non-signatories will not be bound by it, provided there is a defined legal relationship between the signatories and the non-signatories

and that the parties intended to be bound by it by the act of conduct," it said.

Besides chief justice Chandrachud, Justice Narasimha wrote a concurring judgement in the matter. A detailed verdict is awaited.

The case was referred to a larger bench in May

The judgement said it was not necessary that only those who are signatories to an arbitration agreement are bound by it

2022 by a three-judge bench headed by then chief justice N.V. Ramana, saying that certain aspects of the 'group of companies' doctrine needed reconsideration.

The constitution bench dealt with certain questions including "whether the group of companies doctrine should be read into Section 8 of the Arbitration Act or whether it can exist in Indian jurisprudence independent of any statutory provision."

Context: Recently, the Supreme Court issued a significant verdict affirming that an arbitration agreement can be binding on non-signatory firms under the "group of companies" doctrine.

- According to the doctrine, a firm which is not a signatory to an arbitration agreement between two parties can be held bound if such a company is part of the same group of companies which agreed to such a clause or agreement.

GROUP OF COMPANIES DOCTRINE

(Syllabus: GS Paper 3 – Economy)

Group of Companies

- About:** "Group of Companies" doctrine in Indian Arbitration, it is essential to delve into the fundamentals of Indian Arbitration Law.
- Consent in Arbitration Agreement:** Section 7 of the Arbitration & Conciliation Act, 1996, mandates consensus ad idem for a valid arbitration agreement.
 - This mutual agreement reflects the parties' common intention to resolve disputes through arbitration, serving as the foundation for arbitration proceedings.
- Genesis of Contention:** The concept of "consent" forms the basis for debate surrounding the "Group of Companies" doctrine in Indian Arbitration.
 - Criticized globally for potentially diluting consent and altering arbitration dynamics, this doctrine has sparked discussions among jurists and arbitration practitioners.
- Indian Jurisprudence Embracing the Doctrine:** Contrary to global criticism, the Indian legal landscape has embraced the "Group of Companies" doctrine.

Role of the Doctrine in Complex Commercial Transactions

- The "Group of Companies" doctrine has become particularly relevant due to the escalating complexities associated with commercial transactions.
- In addressing multifaceted agreements and disputes, this doctrine empowers Arbitral Tribunals and Indian courts to extend the arbitration agreement to members within a company group with a relationship to the principal contract.

FREE



Download PDF



Login to theiashub.com



**Aaj Ka
Quality Enrichment**
(Toppers' Favourite PDF)



News-CRUX-10
(10 News. 10 Sources. One Place)



Monthly Editorials
(The Hindu & Indian Express)



Daily Quiz (Prelims)



**Government Schemes &
Ministry Wise Year End
Review**



Free Enrichment PDFs
(Tailor Made Crisp Study Material)

FREE

**India's Best Answer Writing Sessions
with**



Ritika Jindal



Simi Karan



Gaurav Budania



Mridul Shivhare

IAS OFFICERS

Log On To Our Unique
Free Answer Writing Sessions with Toppers (FAST) Portal
& Start Practicing!



**SCAN
HERE**



9560082909



t.me/theiashub



www.theiashub.com



/mkyadav



www.theiashub.com