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## 1. On Railways decision to shrink advance booking period

### Introduction

One could book railway tickets four months in advance for long journeys. Now passengers will only be able to book tickets on Indian Railways two months in advance, a circular released by the Railway Board earlier this month stated.



### When will the Advance Reservation Period (ARP) be effective?

The circular states that the new ARP rules will kick in from November 1, 2024 onwards, and that the booking window for passengers to reserve their tickets will open 60 days in advance (excluding the actual day of journey). However, if a passenger

has booked any tickets up to October 31 (under the earlier 120-day period rule), all those bookings will remain intact, and the passenger also has the facility to cancel those tickets at will.

By shortening the reservation period to 60 days, the Railways has reversed its 16-year old policy of reserving tickets 120 days in advance, which had kicked in from May 1, 2008. Before this, from 1995 to 2007, the booking window was restricted to 60 days. Interestingly, between 1988 to 1993, Railways had experimented with shortening the advance booking window to as less as only 45 days. Before this, once between 1981 to 1985, the Railways had opened the ARP for a 90-day window.

### Why was such a decision taken?

Railways officials observed that 120 days was too long a period for planning journeys, and that it led to a high amount of ticket cancellations. "Currently, up to 21% passengers who book their tickets end up cancelling them," a senior official stated. While allotting seats/berths, officials also observed that there was a wastage of seats/berths because of passengers who would not turn up for journeys and at the same time would not bother to cancel their tickets. "4% to 5% passengers don't turn up (which is considered as no show)," the official further said. "Another trend Railways noticed is that between 88% to 90% rail reservations occur in the

period of 60 days, hence it was thought prudent to reduce the ARP," another senior official told The Hindu.

### **Do longer booking windows increase frauds?**

The rationale given by the officials to reduce ARP is that when passengers do not cancel their tickets and do not turn up for journeys, it opens up possibilities for fraud. "We observed frauds such as impersonation, railway officials taking money illegally to allot empty berths etc. With shortening reservation period this could be prevented," the official said.

Secondly, there is an immense challenge of curtailing touts that operate on the railway network. "When reservation periods are longer, there is a greater chance that touts end up blocking a substantial tranche of tickets. Shortening the period of ARP will encourage purchase of more tickets by genuine passengers," the official added.

Parallely, Railway officials state that the decision to either reduce or increase the ARP window is open for debate. "There are two opposing camps that debate how to fix the ARP window. There is one camp in the Ministry that believes in opening up advance reservation for the entire year, and that passengers should be allowed to book and cancel tickets round the year during the period of 365 days. This camp believes that opening up the reservation window year-long will fetch railways revenues in advance. However this facility is currently only available for foreign tourists, who avail of a certain quota to plan their train journeys across India," the official added.

### **Which groups of passengers are exempt from ARP rule?**

Apart from foreign tourists, the Union Railway Ministry had stated that there is no impact on General class tickets as they are purchased just before the journey. It has also stated that for certain trains like Taj Express and Gomti Express it was noticed that tickets are booked almost immediately by passengers who wish to travel in these sitting trains. "They are exempt from ARP rule as passengers who wish to travel in these trains book tickets almost immediately a day or two in advance," the first official added.

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu

## **2. What role UNIFIL plays in Lebanon, India's contribution to it**

### **Introduction**



Recently, the UN force in Lebanon issued a statement saying the Israel Defense Forces (IDF) had used a bulldozer to "deliberately demolish an observation tower and perimeter fence of a UN position in Marwahin" (close to the border with Israel).

The statement by the United Nations Interim Force in Lebanon (UNIFIL) "reminded the IDF and all actors of their obligations to ensure the safety and security of UN personnel and property and to respect the inviolability of UN premises at all times".

It noted that breaching a UN position and damaging UN assets is a “flagrant violation of international law and [UN] Security Council resolution 1701”, and “it endangers the safety and security of our peacekeepers in violation of international humanitarian law”.

Israel has demanded that UNIFIL should vacate its positions along the Blue Line, a 120-km-long “line of withdrawal” set by the United Nations in 2000 along Lebanon’s southern border in order to confirm the withdrawal of Israeli forces from Lebanese territory. UNIFIL has reaffirmed that “despite the pressure being exerted on the mission, peacekeepers remain in all positions and will continue to undertake their mandated tasks”.

### **First, why are UN peacekeepers present in Lebanon?**

The United Nations Interim Force in Lebanon (UNIFIL) was established by a resolution of the UN Security Council in 1978, in response to Israel’s invasion of southern Lebanon. Israel had said it was acting to expel armed Palestinian elements operating from Lebanon.

According to UN Security Council resolutions 425 and 426, adopted in March 1978, the UNIFIL was established to confirm the withdrawal of Israeli forces from southern Lebanon, restore peace and security, and to help the Lebanese government in restoring its control and authority. Southern Lebanon, which shares a border with Israel, has been the site of repeated conflicts between the IDF and Hezbollah. Israel vacated its occupation of Southern Lebanon in 2000, but a fresh conflict broke out in July 2006. On August 11, the UN Security Council unanimously adopted Resolution 1701, which called for Israel and Lebanon to support a permanent ceasefire and significantly expanded UNIFIL’s mandate.

The resolution stated that there would be no ammunition and armaments in Southern Lebanon except those possessed by the Lebanese armed forces. UNIFIL’s strength was augmented to 15,000 uniformed personnel, and it was assigned duties to assist the Lebanese forces in monitoring and supervisory roles, along with providing humanitarian aid.

### **Are Israel’s actions against international law?**

Attacks on UN peacekeepers are in contravention of international law. However, despite condemnation, Israel’s Prime Minister Benjamin Netanyahu has not backed down, and instead asked the UNIFIL to “move out of harm’s way”. In a way, he is asking them to cease performing the responsibilities given to them by the UN Security Council. This is a violation of the sanctity and the mandate of the UN.

UN peacekeepers have come under attack in various parts of the world in the past, but these were by non-state actors. Many of Israel’s actions do not behave the dignity, stature, and obligations of any UN member state. Earlier this month, the Israeli government declared UN Secretary General António Guterres persona non grata and barred him from entering the country. Last year, Israel had called for Guterres’ resignation. Respect for the office of the Secretary General is a part of the UN Charter. Israel has also repeatedly attacked the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), alleging it has links with anti-Israel militant organisations, and called for it to be disbanded. UNRWA has rejected these allegations. More than 220 UNRWA officials have been killed in Gaza — the highest death toll in the history of the UN.

### **Are Indian troops part of UNIFIL?**

India is one of the largest contributors of troops to UNIFIL. Indonesia sends the largest number of personnel, and India, Italy, and Ghana are among the other big contributors. As of October 20, 2024, India had 903 personnel in UNIFIL, after Indonesia's 1,230 and Italy's 1,043.

India has had a presence in UNIFIL since 1998. INDBATT, as the Indian batalion is called, has been renowned for its utmost professionalism, valour, and local outreach. They have also undertaken some quick-impact projects. For example, in 1999, INDBATT built a public park in a town called Ebel el Saqi in southern Lebanon. It has a statue of Mahatma Gandhi and is called the Mahatma Gandhi Park. It was renovated in 2020. INDBATT also built a stadium named after Sardar Patel at a village called Kawkaba.

In addition, INDBATT has helped local communities with IT equipment, diesel generators, etc. Our medical mission, which is a component of the Indian battalion, has always been highly sought-after in the region.

Israel alleges UNIFIL has not done its job in Southern Lebanon, which has forced Israel to eliminate Hezbollah itself.

To blame UNIFIL would not be fair. The mandate of UN peacekeeping missions is not to engage in armed action except in self-defence. As per UN Security Council Resolution 1701, it is the Lebanese armed forces who are in control of that area, with assistance from the UNIFIL. Assistance does not mean that UNIFIL will take armed action.

An important part of the UNIFIL's mandate has been to render humanitarian assistance, which it has been discharging admirably. In the face of Israeli hostilities, the UNIFIL has made it clear that it will not vacate its positions.

As far as Hezbollah is concerned, its reality in Lebanon is multifaceted and multidimensional. It is also a political and cultural force that enjoys legitimacy in Lebanon, with Hezbollah and its allies having 62 of the 128 democratically elected seats in Lebanon's Parliament. If you were to ask average Lebanese about Hezbollah's armed wing, they would probably say that Hezbollah is the country's de facto defence force. However, this is not at all to say that the Lebanese defence forces have abdicated their responsibilities.

### **So where is the Lebanese army in all of this? Are they fighting against Israeli forces?**

This is not an Israel-Lebanon war. This is Israel's aggression in Lebanon, and Lebanon is in self-defence mode, repeatedly calling for a ceasefire.

The Lebanese armed forces are highly professional, but given the tempestuous history of the country and the economic troubles it is currently facing, the army does have a severe resource crunch. It does not have a large budget, and its technology and armaments are very meagre compared with the far more powerful and technically advanced Israeli military.

Relevance: GS Prelims & Mains Paper II; International Organisations

Source: Indian Express



### 3. SC says states have power to make laws on industrial alcohol: What was the case

#### Introduction

A nine-judge Bench of the Supreme Court, in a 8:1 ruling held that states have the power to tax 'industrial' alcohol. In doing so, the court overruled a 7-judge Bench decision from 1989, which stated that states' powers were limited to taxing alcohol for human consumption.



The key interpretative question before the Court was whether "intoxicating liquor" can be defined to include "industrial alcohol."

Tax levied on alcohol is a key component of a state's revenue, with governments often adding an additional excise duty on alcohol consumption to drive their income up. For example, in 2023, Karnataka hiked the Additional Excise Duty (AED) on Indian Made Liquor (IML) by 20%. In the current case, the majority opinion was authored by Chief Justice of India D Y Chandrachud for himself and seven other judges. Justice Nagarathna authored a dissenting opinion.

#### What was the case about industrial alcohol before the SC?

The Bench began hearing arguments on April 2 on whether state governments have the power to regulate and control the sale, distribution, pricing and other factors relating to 'industrial' alcohol. Industrial alcohol is used as a raw material to create other products, and is not meant for human consumption.

Entry 8 in the State List under the Seventh Schedule gives states the power to legislate on the production, manufacture, possession, transport, purchase and sale of "intoxicating liquors". At

the same time, Entry 52 of the Union List, and Entry 33 of the Concurrent List mention industries, whose control is "declared by Parliament by law to be expedient in public interest". Notably, subjects in the Concurrent List can be legislated upon by both states and the Centre, but where a central law exists, the state law cannot be repugnant to it. Industrial alcohol is listed in the Industries (Development and Regulation) Act, 1951 (IDRA).

Essentially, the question before the apex court was whether states can regulate industrial alcohol or whether the Centre exercises exclusive control on the subject.

### **What was the earlier case?**

In 1989, a 7-judge Constitution Bench in *Synthetics & Chemicals Ltd v. State of Uttar Pradesh* held that states' powers, as per Entry 8 of the State List, were limited to regulating "intoxicating liquors" that are different from industrial alcohol.

The SC acknowledged that states' power to regulate consumable alcohol must include the power to "prevent and/ or check industrial alcohol being used as intoxicating or drinkable alcohol". But the court found that the taxes and levies in question were designed primarily to increase the revenue collected by the state, not as measures to regulate the use of industrial alcohol, or prevent its conversion to drinkable alcohol.

Essentially, the SC said that only the Centre can impose levies or taxes on industrial alcohol. However, in a point that would be brought up decades later, the SC did not consider its prior Constitution Bench decision in *Ch Tika Ramji v State of UP (1956)*, where five judges upheld a legislation enacted in UP to regulate the supply and purchase of sugarcane. This Act was challenged on the grounds that under Section 18-G of the IDRA, the Centre had exclusive jurisdiction over regulation of the sugar industry.

In contrast to its *Synthetic & Chemicals Ltd* decision, the court held that Section 18-G is not meant to "cover the entire field" and the state still had power to legislate on matters relating to the sugar industry under Entry 33 of the Concurrent List.

### **How did this lead to the case now before the SC?**

In 1999, the UP government issued a notification introducing a 15% fee for any sale made to licence holders under the UP Excise Act, 1910 for "alcohol used directly or...as solvent for vehicles and appear[ing] in the final product to some extent". This was challenged by a motor oil and diesel distributor, who claimed that the Centre exercised exclusive jurisdiction over industrial alcohol as per Section 18-G of the IDRA.

In February 2004, the Allahabad High Court struck down the 1999 notification, holding that the state legislature did not exercise power over the general regulation of denatured spirits, but only over drinkable alcohol. It directed the state to refund any fee collected with a 10% per annum interest from the date the fee was deposited. This decision was challenged in the SC, which then stayed the Allahabad HC judgment in August that same year.

In 2007, the court referred the case to a larger Bench, noting that the *Tika Ramji* case "had not been brought to the notice of the seven-Judge Bench which decided the *Synthetics and Chemicals* case".

### **What were the state's arguments?**

Senior Advocate Dinesh Dwivedi, appearing for the State of UP, said that the phrase "intoxicating liquors" in Entry 8 of the State List includes "all liquids containing alcohol". He said that 'liquor', 'spirit', and 'intoxicant' were used in excise laws before the Constitution came into force.

He also argued that the Union's power under Entry 52 of the Union List does not include control over "finished products" (such as industrial alcohol after the denaturation process), as that is specifically covered by Entry 33 of the Concurrent List. In order to exercise exclusive control over regulation of industrial alcohol, the Centre would first have to issue an order to that effect under Section 18-G of the IDRA.

Dwivedi also cautioned against adopting an approach that would reduce states' powers, relying on Justice Ruma Pal's concurring opinion in *ITC Ltd v Agricultural Produce Market Committee* (2002). The SC had held that states are not "mere appendages of the Centre... The Centre cannot tamper with their powers. More particularly, the courts should not adopt an approach, an interpretation, which has the effect of or tends to have the effect of whittling down the powers reserved to the States".

### **What was the Centre's response?**

Attorney General R Venkataramani and Solicitor General Tushar Mehta appeared for the Centre. The AG argued that 'intoxicating liquors' under Entry 8 is limited to alcohol meant for human consumption, stating that the framers of the Constitution were aware that there was a difference between alcohol under Entry 8 and alcohol which was not 'intoxicating' or consumable.

The SG focused on showing how the apex court's 1956 judgment in *Tika Ramji* was incorrect, arguing that it had limited the Centre's power over industries to issues concerning 'manufacture' and 'production' of goods, which is contradictory to what he said the Constitution framers intended.

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu

## **4. Ladakh activist Sonam Wangchuk ends fast: What is Schedule 6 of the Indian Constitution?**

### **Introduction**

Ladakh-based activist Sonam Wangchuk ended his indefinite fast on Monday evening (October 21), after receiving a letter from the Union Ministry of Home Affairs on future talks about the Union Territory's administration.

Wangchuk and other activists began marching from Ladakh to Delhi in September to discuss demands for greater autonomy in Ladakh's administration with the Central government. Specifically, they wanted Schedule 6 of the Indian Constitution to be made applicable to Ladakh. Here is a brief recall of their demands and the larger issues.

### **Why were activists from Ladakh marching to Delhi?**

Wangchuk is an engineer and a renowned innovator of sustainable products. In recent years, he has flagged issues related to Ladakh's administration. He wrote a letter to then Union Tribal Affairs Minister Arjun Munda around 2019, on granting Scheduled Area status to Ladakh under the Sixth Schedule of the Indian Constitution.



Munda responded that his ministry was "seized of the matter" and had communicated a proposal to the MHA. However, there was no subsequent discussion on the subject with the leaders of Ladakh, Wangchuk said in 2023.

The demand also gained salience post the repeal of Article 370 of the Constitution in August 2019 and the

subsequent enactment of the Jammu and Kashmir Reorganisation Act, 2019, with Ladakh getting recognised as a separate Union Territory.

Students-led protests for the demand in 2019 saw support from former MP Thupstan Chhewang, who then created the Leh Apex Body (ABL). Organisations in Kargil also came together to form the Kargil Democratic Alliance (KDA). These groups have been at the forefront of the protests. Wangchuk has been repeating that protections under the Sixth Schedule were an election promise that the BJP made in 2019, and the Government of India has to keep its word.

### **What's the demand for the Sixth Schedule in Ladakh?**

The Sixth Schedule under Article 244 of the Indian Constitution provides for the formation of tribal administrative regions called Autonomous District Councils (ADCs), as well as Autonomous Regional Councils (ARCs). A majority of the population in Ladakh belongs to Scheduled Tribes.

ADCs have up to 30 members with a term of five years and can make laws, rules and regulations on land, forest, water, agriculture, village councils, health, sanitation, village- and town-level policing, etc. Currently, there are 10 ADCs in the Northeast, with three each in Assam, Meghalaya and Mizoram, and one in Tripura.

Wangchuk said the people of Ladakh have demanded the decentralisation of power as they believe that "lower levels of bureaucracy" may have been "influenced by industrial powers and business houses", who wanted "mining to take place in every valley here".

### **What are the other reasons for the protest?**

Talks between the Union Ministry of Home Affairs, the ABL and KDA reached an impasse in March this year. At the meeting, Union Home Minister Amit Shah offered to extend Article 371-like protections to the region. Shah is learnt to have said the concerns related to jobs,



land, and culture would be taken care of, but the government would not go as far as to include Ladakh in the Sixth Schedule.

Wangchuk and others then began a fast in Leh, where he survived only on water and salt and slept outdoors in below-freezing-point temperatures for 21 days.

Subsequently, a planned 'Pashmina march' to the China border was cancelled, with Wangchuk claiming the administration told them Section 144 of the IPC would be imposed. According to Wangchuk, shepherds who have traditionally reared the famed pashmina goats for their highly sought-after wool faced problems. He said the loss of land to corporations (he did not name any) for setting up large industrial units or solar plants; and two, the activities of the Chinese along the Line of Actual Control (LAC) had impacted them.

He also flagged issues related to unemployment in the region post-2019.

### **What happens now?**

The latest 'Delhi Chalo Padyatra' was organised by the ALB, with a four-point agenda for the support of Ladakh's statehood, extension of the Sixth Schedule, early recruitment process along with a public service commission for Ladakh and separate Lok Sabha seats for Leh and Kargil districts.

Prashant Lokhande, the Joint Secretary of Jammu and Kashmir and Ladakh, met the activists at Ladakh Bhavan in New Delhi and handed them the letter from the ministry on Monday. It said the high-powered committee that previously held talks with Ladakh's representatives will meet them on December 3.

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu