

CURRENT AFFAIRS : APRIL 2023

BASIC STRUCTURE DOCTRINE

The landmark Kesavananda Bharati judgement, 1973 which propounded the basic structure doctrine completed 50 years.

About the Kesavananda Bharati Case, 1973

- The case dealt with a petition against the Kerala Government challenging the compulsory acquisition of his land by the government under the Kerala Land Reforms Act 1963, as a violation of Fundamental Rights (FRs), as enshrined in - Articles 25, 26 and 31 of the Constitution of India.
- The case was heard by a Bench of 13 judges — the largest formed in the Supreme Court (SC).

Key Outcomes:

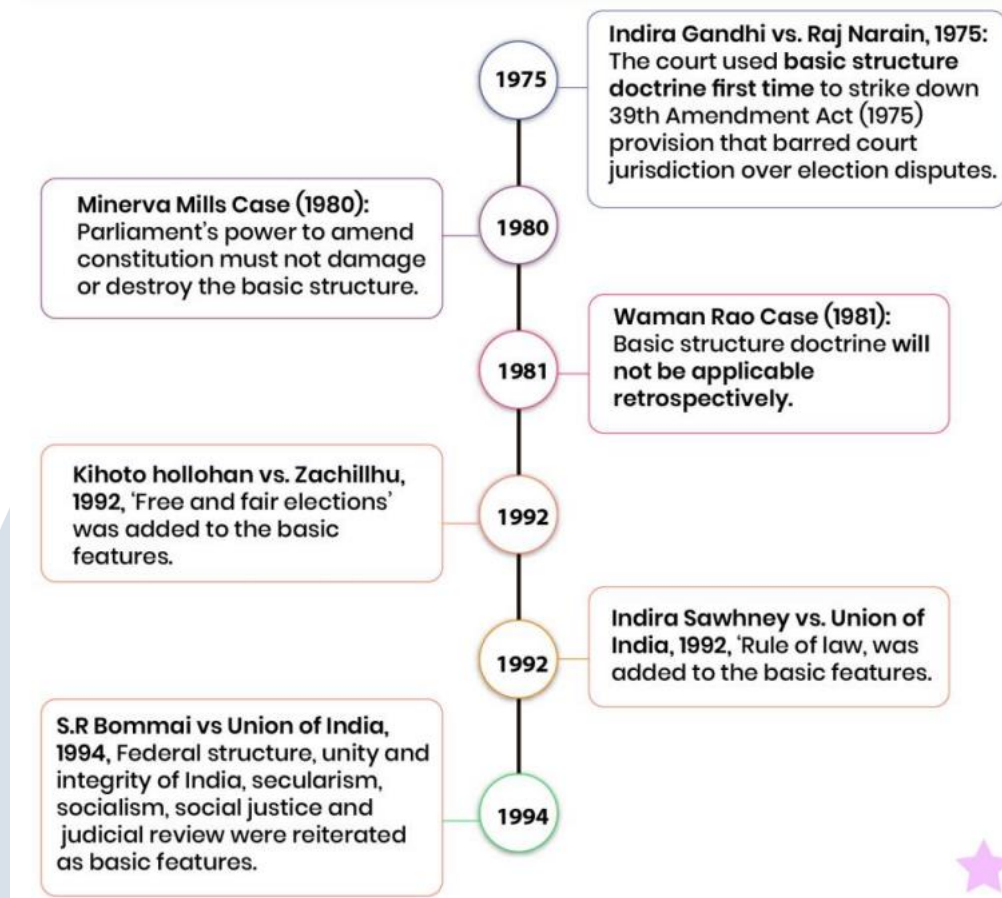
o **Introduction of Basic Structure Doctrine:** SC upheld the validity of the 24th amendment and held that Parliament had the power to amend any or all provisions of the Constitution (including FRs), with a condition that the amendments should not alter, damage or destroy the essential features or the fundamental principles of the Constitution.

✓ This came to be known as the “Basic Structure Doctrine”.

o **Corrected judgments of the Golaknath case:** SC held that Article 368 contained both the power and the procedure for amending the Constitution and that amending powers and legislative powers of Parliament were different.

o Other judgments: SC upheld the 25th and 29th Amendments except for the parts that curtailed its power of judicial review and also asserted that the Preamble is a part of the Constitution and hence amendable.

Application and Evolution of Basic Structure Doctrine



About Basic Structure Doctrine

- The basic structure doctrine holds that certain fundamental features of the Constitution, cannot be amended or abrogated by the Parliament through a constitutional amendment.
- There is no mention of the term “Basic Structure” anywhere in the Constitution of India.

Some Principles that are presently part of the 'Basic Structure'

- **Sovereignty** of India
- Essential features of the **individual freedoms secured to the Citizens**
- Mandate to build a **welfare State**
- **Supremacy of the Constitution**
- **Republican and democratic** form of government
- **Secular and federal** character of the Constitution
- **Separation of powers** between the legislature, executive and the judiciary
- **Unity and integrity** of the nation
- Power of **judicial review**
- Harmony and **balance between FRs and DPSPs**

Major challenges with regard to Basic Structure

- **Scope of Basic Structure:** The interpretation of what constitutes the "basic structure" is often contested which can lead to differing interpretations and confusion.
- **Judicial Activism:** The use of the Basic Structure Doctrine allows the courts to invalidate constitutional amendments passed by the elected representatives of the people.
 - o For instance, in the 2019 the Supreme Court's struck down the National Judicial Appointments Commission (NJAC) Act to reform the appointment process for judges.
- **Conflict with parliamentary sovereignty:** The Doctrine is often seen as a limitation on the powers of Parliament to amend the Constitution, which can be perceived as a challenge to the principle of parliamentary sovereignty.
 - o For example, the move to remove special status for Jammu and Kashmir under the Jammu and Kashmir Reorganisation Act in 2019, was challenged in the Supreme Court on the grounds that it undermines federalism, secularism, and the right to self-determination. However, the Supreme Court upheld the constitutionality of the act.
- **Difficulty in Amending the Constitution:** The doctrine might make it difficult to amend the Constitution, even when such amendments are necessary to address changing societal needs.

DEMOCRATIC DECENTRALISATION IN INDIA

The year 2023 marks the 30th anniversary of the 73rd and 74th Amendment to the Indian Constitution that led to the establishment of local self-governments in rural and urban areas thereby a three-tier federal structure.

- The Ministry of Panchayati Raj in collaboration with the Government of Madhya Pradesh celebrated National Panchayati Raj Day on 24th April at Rewa in Madhya Pradesh (first state in the country to implement the 3-tier panchayati raj envisaged in the 73rd Constitution Amendment Act, 1992).

- On the occasion, PM inaugurated integrated e-GramSwaraj and GeM portal.

✓ The objective of eGramSwaraj–Government e-Marketplace (GeM) Integration is to enable the Panchayats to procure their goods and services through GeM leveraging the eGramSwaraj platform.

o PM handed over the SVAMITVA (Survey of Villages and Mapping with Improved Technology in Village Areas) Property Card to select beneficiaries, symbolizing the attainment of the milestone of 1.25 crore property cards distribution under SVAMITVA Scheme in the country.

About 73 rd and 74 th Constitutional Amendment Acts	
73rd Constitutional Amendment Act, 1992	74th Constitutional Amendment Act, 1992
<ul style="list-style-type: none"> • Panchayati Raj Institution was constitutionalized through the Act. • This act has added a new Part-IX to the Constitution of India and consists of provisions from Articles 243 to 243 O. • In addition, the act has also added a new 11th Schedule to the Constitution that contains 29 functional items of the panchayats. 	<ul style="list-style-type: none"> • Urban local governments were constitutionalized. • It added Part IX -A and consists of provisions from Articles 243-P to 243-ZG. • It also added the 12th Schedule to the Constitution that contains 18 functional items of Municipalities.

COOPERATIVE FEDERALISM

Prime Minister recently underlined the importance of cooperative federalism in India.

About Cooperative Federalism

- Cooperative federalism is the horizontal relationship between union and states and shows neither is above the other.
 - o It envisages that national and state agencies undertake government functions jointly rather than exclusively.
- Indian constitution has incorporated instruments to ensure co-operation between the centre and states.
- National Institution for Transforming India Aayog (NITI) Aayog acts as a platform to promote cooperative federalism in India.
 - o Some of the key roles of NITI Aayog include Collaborative policy-making, Center-state dialogue, Incentivizing states and Monitoring and Evaluation.

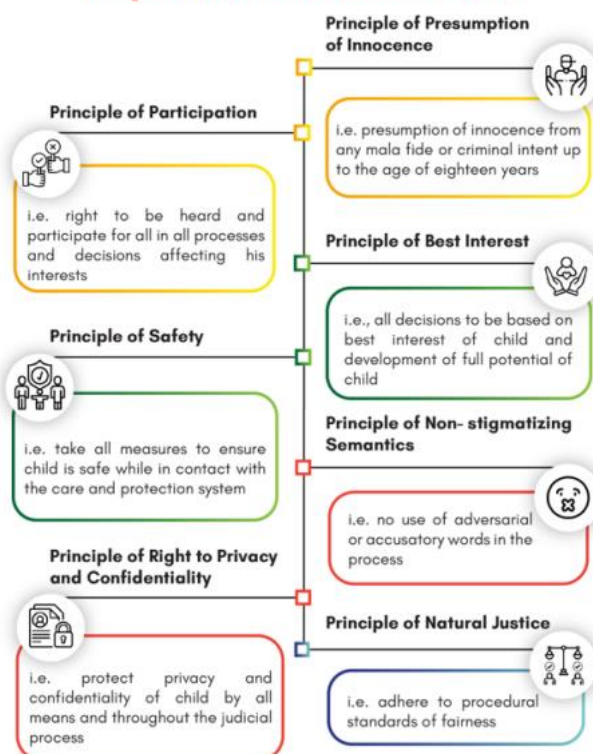
Constitutional Provisions to promote cooperative federalism in India

- **7th schedule** which demarcates central, state, and concurrent lists based on the principle of subsidiarity.
- **All India Services under Article 312**
- **Integrated judicial system** to enforce both states as well as central laws.
- **Inter-State Council under article 263** of the constitution to discuss and investigate the subject of common interest between the center and the states.
- **Full Faith and Credit Clause under article 261** provides that full faith and credit shall be given throughout the territory of India to all the public acts, records, and judicial proceedings of the Union and every State.
- **Zonal council** established as statutory bodies under the State reorganization act of 1956 to ensure coordination.
- **Finance Commission under article 280** for recommending the distribution of financial resources between the Union and the States.
- **GST Council under article 279A** which is responsible for deciding the rates of the GST and the modalities of its implementation.

ASSESSMENT OF CHILD SUSPECTS

- National Commission for Protection of Child Rights (NCPCR) issued guidelines for assessment of child suspects
- In compliance with Supreme Court directive (in Barun Chandra Thakur vs Master Bholu, 2022 case), Guidelines will enable Juvenile Justice Board (JJB) to conduct Preliminary Assessment to
 - o Determine whether a child should be treated as a minor or not in criminal cases which come under “heinous” offences category of Juvenile Justice (Care and Protection of Children) Act (JJ ACT), 2015.
- Although JJ Act defines child as a person who has not completed 18 years of age, in 2015 it was amended to add a provision wherein a child in age group of 16-18 years could be tried as an adult in case of heinous offenses.
 - o JJB carries assessment to determine whether to try such a child as an adult or a minor.

Principles followed for the Implementation of JJ Act



TRIPLE TESTS FOR SURROGACY

- Karnataka High Court has evolved “triple tests” to help a couple facing legal hurdles to have a surrogate child under provisions of Surrogacy (Regulation) Act, 2021.

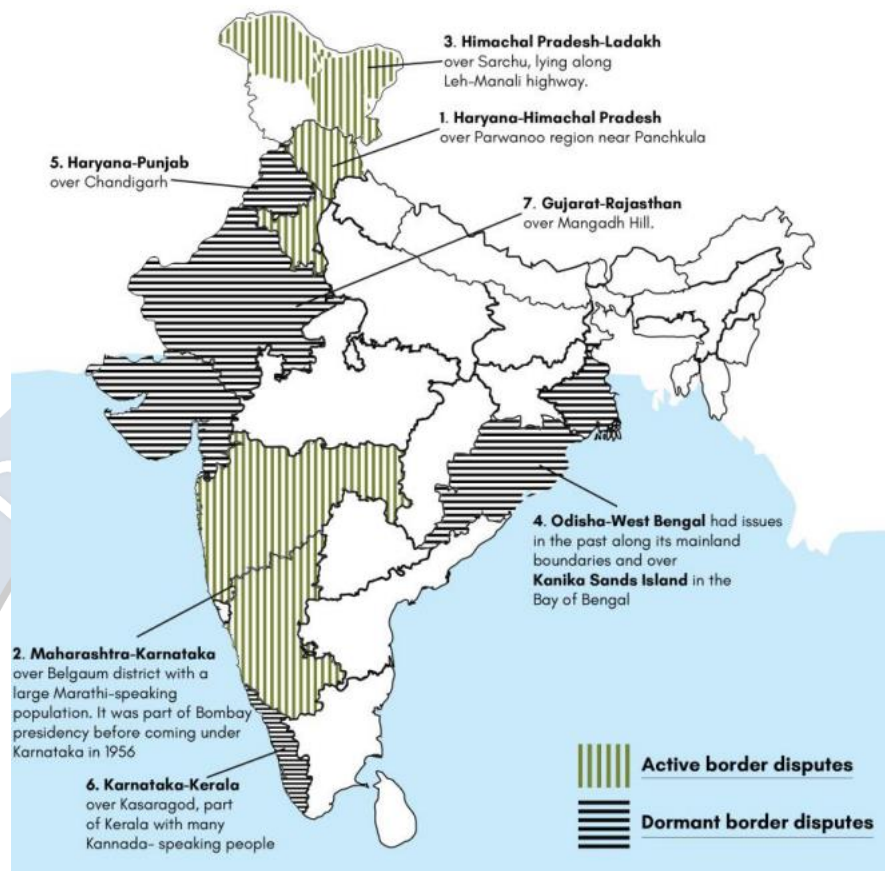
- o Act allows only altruistic surrogacy and penalises commercial surrogacy.

The triple test

- o Genetic test for husband to ensure child is not born with any disorder.
- o Physical test for couple to ascertain their capacity to manage the child
- o Economy test for couple to ensure that they can protect the future of the child.

INTER-STATE BORDER DISPUTES

- Assam and Arunachal Pradesh signed a memorandum of understanding (MoU) to end a decades-long inter-state border dispute.
- The dispute in question is over 123 villages that stretch across 12 districts of Arunachal Pradesh and eight of Assam.
- According to the MoU, the state governments agree that no new claim area or village will be added in future beyond these 123 villages.
- As per the MoU signed, disputes over 34 of these villages stand resolved.
 - o The disputes over 37 villages had been resolved through the Namsai Declaration of July 2022.
 - o Of 71 villages, an understanding has been reached where Arunachal Pradesh cedes one village to Assam while receiving 60 villages from Assam; 10 villages remain in Assam.



RURAL-URBAN AREAS

- Economic Advisory Council to the Prime Minister (EAC-PM) suggested changing definition of rural-urban areas in India.
- EAC-PM member in a working paper titled 'What is Urban/Rural India' suggested that government needs a more dynamic approach to define rural-urban areas.
- Current Definition of Rural and Urban settlements
 - o As of 2017, any settlement that is not considered 'urban' is automatically considered 'rural'.
 - o There are 2 types of urban settlements
 - ✓ Administratively urban settlements are those that are governed by an Urban Local Body (ULB).

✓ Census Urban Settlements are those that have a population greater than 5000, 75% of male population working in non-agriculture, and a density of 400 people per sq. Km.

NATIONAL PARTY STATUS

• Citing Election Symbols (Reservation and Allotment) Order, 1968, which stipulates criteria for recognition as a national or state party, Election Commission of India (ECI) now recognises six national parties:

o Bharatiya Janata Party (BJP), Indian National Congress, Bahujan Samaj Party (BSP), Communist Party of India (CPI) (Marxist), National People's Party (NPP) and Aam Aadmi Party (AAP).

o Trinamool Congress (TMC), Nationalist Congress Party (NCP) and CPI lost their national party status.

• ECI reviewed parties' performances in 2014 and 2019 Lok Sabha polls and 21 state assembly polls since 2014.

How is a Party's National status decided?

- **Votes in Lok Sabha (LS), state polls:** A party should secure at **least 6%** of votes polled in **four or more states** in LS or assembly elections, and, in addition, have **at least four members in LS**.
- **Seats in LS:** It should have at least **2%** of total Lok Sabha seats, and have candidates from **not less than three states**.
- **Must be a state party:** in at least **four states**.

Benefits of National Party Status

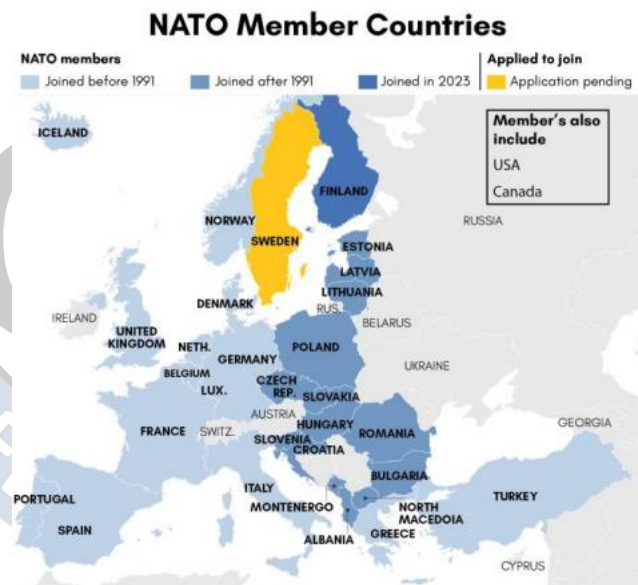
- **Exclusive allotment of its reserved symbol** to candidates set up by it **throughout India**.
- Need **only one person to propose a candidate's name** to enable them to file nominations.
- **Get broadcast/telecast facilities** over Akashvani/Doordarshan **during general elections**.
- **Can have up to 40-star campaigners** while other can have up to 20-star campaigners.

GOVERNOR

- Tamil Nadu Legislative Assembly adopted a resolution urging Centre to set time limit for Governor for clearing Bills.
- Resolution has been passed in backdrop of pending assent, to nearly 20 bills, by governor.
- When a bill is sent to governor after it is passed by state legislature, he can:
 - o Give his assent to the bill, or
 - o Withhold his assent, or
 - o Return the bill (if it is not a money bill) for reconsideration of state legislature. However, if bill is passed again with or without amendments, governor has to give his assent, or
 - o Reserve bill for consideration of President.
- Other issues w.r.t Governor and state governments in recent years include:
 - o Lack of provisions for the manner in which Governor and state must engage publicly when there is a difference of opinion.
 - ✓ Example – Recently West Bengal, Tamil Nadu, and Kerala saw bitter and acrimonious exchanges between state governments and Governors.
 - o Passing negative remarks on state administration (law and order and political violence etc.).
 - o No clear distinction between constitutional and statutory roles- Governors as a chancellor is a point of conflict.
 - o Misuse of discretionary power (Time taken to decide over disqualification of members).
 - o Removal of Governor - no written ground or procedure.

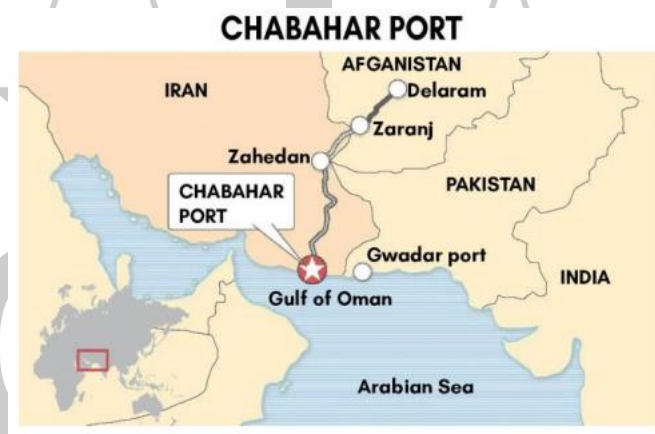
NORTH ATLANTIC TREATY ORGANIZATION (NATO)

- Finland became the 31st country to join NATO.
 - o Finland, once neutral under a "friendship agreement" with the Soviet Union, moved closer to NATO after the collapse of the Soviet Union.
- As a member of the Alliance, Finland is part of NATO's collective defence and is covered by the security guarantees enshrined in Article 5 of the North Atlantic Treaty.
 - o Collective defence means that an attack against one Ally is considered as an attack against all Allies.
 - o NATO was established in 1949 by the Washington Treaty.
 - o It was established as a military alliance, against the then USSR in the European region.
 - o It derives its authority from Article 51 of the UN charter.



CHABAHAR PORT

- First meeting of India-Central Asia Joint Working Group on Chabahar port took place in Mumbai.
- Chabahar Port is located in Sistan-Baluchestan province in South-eastern Iran, on Gulf of Oman.
 - o In 2016, India signed a tripartite agreement with Iran and Afghanistan to develop the Shahid Beheshti Terminal at Chabahar.
- It is considered a crucial gateway that would enable India to bypass Pakistan and access Afghanistan, and ultimately Central Asia.
- With its strategic location near Strait of Hormuz and Indian Ocean, port offers significant potential.



DE-DOLLARIZATION

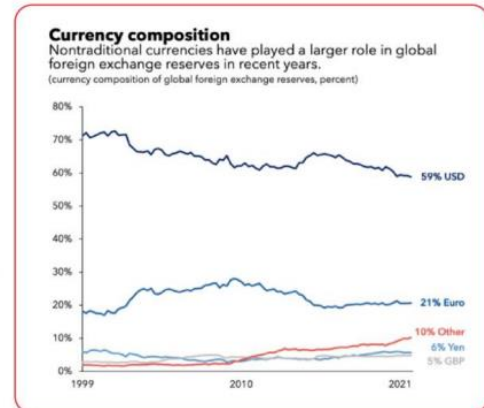
BRICS (Brazil, Russia, India, China and South Africa) nations are in the process of creating a new currency for payments.

- BRICS currency will be used for cross-border trade.
- In recent times, BRICS has emerged as an Institution which is challenging the dominance of the Western world in the economic sphere.
- Also, India and Malaysia have agreed to settle trade in Indian rupees in addition to current modes of settlement in other currencies.

- These are seen as a major step towards de-dollarization.

What is De-dollarization?

- It refers to the process wherein **countries tend to reduce** their reliance on the **US dollar (USD)** as a reserve currency, medium of exchange, and also a unit of account.
- It has also gained momentum to **undermine the dominance of the US**.
 - The status of the dollar was enhanced by the **Bretton Woods system** (IMF and World Bank), which essentially eliminated other developed market currencies from competing with the USD.
- Russia, China, Brazil, and India are significant economies that are emphasizing on **de-dollarization**.



KOCHI WATER METRO

- Recently, India's first water-based metro, Kochi Water Metro (KWM), was formally inaugurated by Prime Minister.
- The Kochi Water Metro is an innovative and sustainable mode of transportation that connects various parts of the city through its intricate network of waterways.
- The project aims to reduce traffic congestion and improve the connectivity of the city while promoting eco-friendly means of transportation.
- The project received funding from the Kerala government and a loan from KfW- a German state-owned investment and development bank.

EXERCISES IN NEWS

- **SLINEX-23:** It is a Bilateral Maritime Exercise between India and Sri Lanka.
- **Exercise Kavach:** Conducted by Andaman and Nicobar Command (ANC), it is joint military exercise involving the assets of Army, Navy, Air Force and Coast Guard.
- **Exercise Cope India 23:** It is a bilateral Air Exercise between the Indian Air Force and United States Air Force.

- **Exercise Orion:** It is a multilateral exercise. Besides Indian Airforce and French Air and Space Force (FASF), Air Forces from Germany, Greece, Italy, Netherlands, United Kingdom, Spain and United States of America would also be flying in this exercise.
- **INIOCHOS-23:** Indian Air Force will participate in Exercise INIOCHOS-23, a multi-national air exercise hosted by the Greece Air Force.

ECO-SENSITIVE ZONES (ESZ)

- Supreme Court (SC) modified order on eco-sensitive zones (ESZ) around protected forests
- Modifying its June 2022 order that mandated a minimum 1-km ESZ around national parks or wildlife sanctuaries, SC stated that ESZ cannot be uniform across the country and has to be “protected area specific”.
 - o Earlier, Centre and several States had sought modification of the order as it affected villages in the peripheries of forests.

Significance of ESZ:

- o Create a kind of shock-absorber around protected areas
- o Minimize impact of urbanization and other developmental activities
- o Helps in in-situ conservation
- o Minimise man-animal conflict

SEA SURFACE TEMPERATURE (SST)

- The global average Sea Surface Temperature (SST) reached 21.1° Celsius (C), highest in recorded history, according to data released by Climate Change Institute at University of Maine.
 - o In the Indian Ocean, it was 29 to 31° C on April 16- which is 1-2° C above normal.
 - o Due to this, there are patches of strong marine heat waves over the south Arabian Sea and Bay of Bengal.
- SST is the water temperature close to the ocean's surface.

- o It varies mainly with latitude, warmest near equator and coldest at poles.
- o It provides fundamental information on the global climate system.
- o It helps in the study of marine ecosystems, weather prediction and atmospheric model simulations; including the onset of El Niño and La Niña cycles
- Reasons Behind SST Rise: Global Warming (Climate Change), high solar radiation combined with certain ocean dynamics etc.

STATE OF WORLD POPULATION REPORT 2023

The United Nations Population fund (UNFPA), has released the State of World Population report 2023: 8 Billion lives infinite possibilities.

- This report is an annual report published by the UNFPA covering and analyses developments and trends in world population and demographics.
- It also sheds light on specific regions, countries and population groups and the unique challenges they face.
- 2023 report discusses the milestone of 8 billion recently reached by the human population and the narratives surrounding population change

Key findings with respect to India:

- **Most populous country:** India's population is set to reach 1428.6 mn by mid-2023, thereby replacing China as the most populous country (1425.7 mn).
- **One of the Youngest Countries:** Around 68% of India's population is of the age group 15-64 years and around 26% of the population fall between 10-24 years, making India one of the youngest countries.
- **Old age population set to raise:** Currently 7% of the Indian population is above 65 years and this proportion is set to increase gradually.
- **Falling fertility rate:** The Total Fertility rate currently stands at 2.0, which has fallen from 2.2 in 2015-16.

- **Improved life expectancy:** The average life expectancy of an Indian male is 71 years and that of Indian female is 74 years.

LIGO-INDIA PROJECT

Union Cabinet has approved the Laser Interferometer Gravitational-Wave Observatory, or LIGO, project to build an advanced gravitational wave detector.

- Components will be made in India- improving the technological expertise of Indian scientists and engineers.
- The project will have multidisciplinary benefits on India's Astrophysics research, high end technological development.

About the project:

- LIGO - India is a planned advanced gravitational wave observatory to be located in India as part of the worldwide network.
- Genesis: The project was given “in principle” approval in 2016 to be completed by 2030.
- Location: Hingoli district in Maharashtra.

SANCHI

- Sanchi (Madhya Pradesh) is all set to become the country's first solar city.
- Buddhist Monuments at Sanchi is a UNESCO world heritage site.
- Place is related to Buddhism but not directly to life of Buddha. It is more related to Ashoka than to Buddha.
 - o It comprises various Buddhist monuments dating back to 1st and 2nd C.E, famous one being the Sanchi Stupa.
 - o Sanchi stupa houses 4 gateways that showcase Buddha's life through intricate carvings.

o It is also home to Gupta temple, one of the earliest example of temple architecture.

MANAMADURAI POTTERY

- Recently Manamadurai pottery of Sivagangai district, Tamil Nadu got the Geographical Indication (GI) tag.
- A unique type of clay is sourced from water bodies like Nedunkulam, Nathapurakki, Sundaranadappu, Seikalathur to make these pots.
 - o Main raw materials for making these pots are soil and water.
 - o Vaigai River which runs through the Manamadurai village enriches the clay used for the pottery.

LADAKHS WOOD CARVINGS

- Prime Minister applauds GI Tag for Ladakh's Wood Carving, a first of its kind.
- Wood carving of Ladakh has been an aesthetically vibrant art form in Ladakh region.
 - o It will boost exports, promotes goods at international level, and will bring economic prosperity to producers and stakeholders.
- GI sign used on products that have a specific geographical origin and possess qualities or a reputation that is due to that origin.
 - o Geographical Indications (GI) of **Goods (Registration and Protection) Act, 1999** provide for registration and better protection of GI for 10 years.

NAGRI DUBRAJ RICE


- Chhattisgarh's Nagri Dubraj rice variety got a geographical indication tag.
 - o After Jeeraphool rice in 2019, Dubraj is the second brand to get the GI tag.

- The women's self-help group “Maa Durga Swasahayata Samuh” of Nagri in Dhamtari district has been harvesting Dubraj and had applied for the GI tag.


RAJA RAVI VARMA


175th birth anniversary of Raja Ravi Varma was celebrated recently.


Fact Sheet





Also known as '**The Father of Modern Indian Art**'.
He is best-known for **his paintings and prints** that **exquisitely render Indian subjects using European techniques**.

 **Date of Birth:** April 29, 1848


 **Place of Birth:** Kilimanoor, Travancore


 **Date of Death:** October 2, 1906

 **Profession:** Painter, Artist

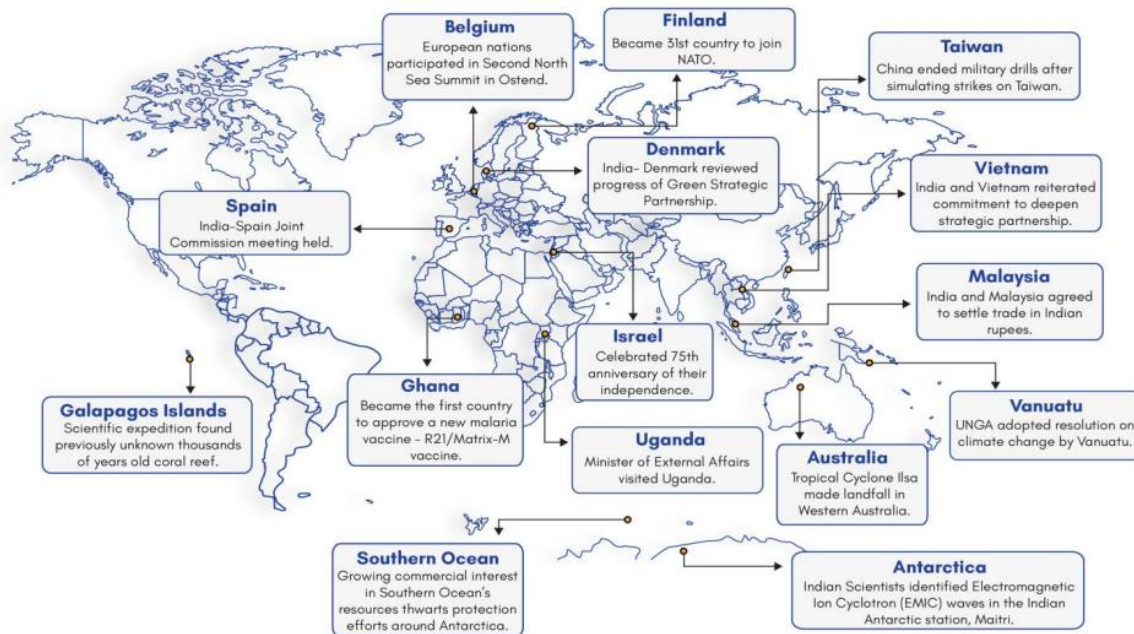
 **Classification of paintings**

- Portraits
- Portrait-based compositions
- Theatrical compositions based on myths and legends.

 **Teachers:** Rama Swami Naidu (water painting); Theodor Jenson, a Dutch Painter (oil painting)

 **Awards:** Kaisar-i-Hind Gold Medal (1904); Government of Kerala has instituted an award in his name.

Places in News: World



Places in News: India

