

CURRENT AFFAIRS: JUNE 2024

DEMAND FOR NEW STATES

Recently, June 2 marks the ten years of formation of Telangana State.

- Andhra Pradesh Reorganisation Act, 2014, reorganizes the state of Andhra Pradesh by creating a separate state called Telangana with Hyderabad as its capital.
- The move for a separate Telangana state was motivated by perceived regional inequality in the development.
- Recently, Bhil tribe demanded an independent tribal state i.e., Bhil Pradesh, comprising parts of Rajasthan, Madhya Pradesh, Gujarat, and Maharashtra.

Judicial Pronouncement related to Reorganisation of State



Berubari Union case, 1960: SC held that power of Parliament to diminish the area of State (under Article 3) **does not cover cession of Indian Territory to a foreign country.**

- Indian Territory can be ceded to a foreign state only by amending Constitution under **Article 368**.
- Consequently, **9th Constitutional Amendment Act (CAA), 1960** was enacted to transfer certain territory to Pakistan.

State Reorganization Commission/Committees

- **S.K. Dhar Commission, 1948:** Recommended re-organization on basis of **administrative convenience** rather than linguistic factor.
- **JVP Committee** (named after its members Jawaharlal Nehru, Vallabhbhai Patel, and Pattabhi Sitaramayya), **1948:** **Rejected language** as basis for reorganization of states.
- **Fazl Ali Commission, 1953:** Identified **4 factors** for state reorganization i.e.
 - Preservation and strengthening of unity and security of country.
 - Linguistic and cultural homogeneity.
 - Financial, economic and administrative considerations.
 - Planning and promotion of welfare of people and nation as a whole.
- **Fazal Ali Commission** recommended for formation of **14 states and 6 UTs**.
 - Parliament implemented its recommendations through **Constitution (7th Amendment) Act, 1956**.

INTERNAL EMERGENCY

The year 2024 marks the beginning of the 50th year since the imposition of internal Emergency on June 25, 1975.

About Emergency

- Emergency is a situation when democratic rights of people are suspended, and central government assumes powers over state governments.
- Suspension of fundamental rights during emergency was incorporated from Weimar Constitution of Germany.
- Emergency Provisions are outlined in Article 352 to Article 360 under Part XVIII of Constitution.
- Rationale behind the incorporation of these provisions is to safeguard sovereignty, unity, integrity and security of country, democratic political system, and Constitution.

Types of Emergencies

- : President may, on advice of Cabinet headed by Prime Minister, issue a proclamation of emergency if security of India or any part of country is threatened by “war or external aggression (external emergency) or armed rebellion” (Internal Emergency). (Article 352)

o Till now, three times an emergency has been imposed in India i.e., 1962, 1971 on the grounds of war (IndiaChina; India- Pakistan), and 1975 due to an internal disturbance.

Note: This ground of “internal disturbance” was substituted by “armed rebellion” by Constitution (44th Amendment) Act, 1978.

- **President’s Rule** (State or Constitutional Emergency): An emergency due to failure of constitutional machinery in states. (Article 356)
- **Financial Emergency**: Due to threat to financial stability or credit of India or of any part of territory. (Article 360).

Procedure of Proclamation of Emergency

• Approval:

o It must be approved by both houses of Parliament within one month from date of its issue.

o If approved by both houses, Emergency continues for 6 months and can be extended to an indefinite period with an approval of the Parliament for every six months. (44th Amendment Act 1978)

✓ If the dissolution of Lok Sabha takes place during period of six months without approving further continuation of the emergency, then proclamation survives until 30 days from first sitting of Lok Sabha after its reconstitution, provided Rajya Sabha in the meantime approved its continuation.

o Every resolution approving the proclamation of emergency, or its continuance must be passed by either House of Parliament by a special majority. (44th Amendment Act 1978)

- **Revocation:**

o Revoked by President at any time by a subsequent proclamation. Such proclamation does not require parliamentary approval.

o Resolution for disapproval of continuation of National Emergency is required to be passed by Lok Sabha by simple majority.

Reasons for imposing Internal Emergency (1975-77)

- **Economic context:** Prices increased by 23 per cent in 1973 and 30 per cent in 1974. Such a high level of inflation caused much hardship to the people.

- **Gujarat and Bihar movements:** Students' protests in Gujarat and Bihar had far reaching impact on the politics of the two States and national politics.

- **Conflict with Judiciary:** This was also the period when the government and the ruling party had many differences with the judiciary such as appointment of Justice A. N. Ray as the Chief Justice of India. Implications/Criticism of imposing Internal Emergency (1975-77)

- **Political Impact**

o Suspension of Civil Liberties: Government gets the power to curtail or restrict all or any of the Fundamental Rights during the emergency.

✓ Newspapers were subjected to pre-censorship. Press Council was abolished, and many journalists, activists were imprisoned.

o Centralization of power: Practically suspended federal distribution of powers and all the powers are concentrated in the hands of union government (Prime Minister Office). Thus, altering legislative power of states.

✓ 42nd Constitutional Amendment Act (CAA), 1976 extended duration of Lok Sabha from five to six years.

o Crackdown on Dissent: Opposition leaders were arrested without trial under laws like Maintenance of Internal Security Act, 1971 (MISA).

• Social Impact:

o Misuse of Power: There was widespread torture, custodial deaths, authoritative slum clearance drives were conducted in major cities without adequate resettlement plans, displacing thousands of people.

o Impact on organisations: Religious and cultural organizations like Rashtriya Swayamsevak Sangh, Jamaat-E-Islami, etc. were banned on apprehension of disturbance to social and communal harmony.

o Forced Sterilizations: The push for population control and family planning intersected with citizens' rights to personal autonomy and reproductive freedom.

• Institutional Impact:

o Judicial Independence: Independence of judiciary was compromised, with judges who were perceived as unsupportive of government being transferred or side-lined.

✓ Government introduced 42nd constitutional amendment act, 1976 aimed at limiting scope of judicial review.

- **Erosion of trust:** Arbitrary use of powers during Emergency eroded citizens' trust in governmental institutions. Changes brought after Internal Emergency through 44th Amendment Act, 1978
- **Written approval:** Emergency can be proclaimed only on basis of written advice by Cabinet to President.
- **Fundamental Rights:** Restricted scope of Article 359 i.e. Right to protection in respect of conviction for offences (Article 20) and right to life and personal liberty (Article 21) remain enforceable during emergency.
 - o It omitted right to property as a fundamental right and made it a constitutional right under Article 300A.
- **Term of Lok Sabha:** Back to 5 years from 6 years by amending Articles 83 and 172.
- **Removal of Article 275A:** It dealt with power Government of India to deploy any armed force of Union or any other force to deal with any grave situation of law and order in any State.
- **Judicial review:** All doubts and disputes arising out of or in connection with election of a President or Vice President shall be inquired into and decided by Supreme Court.

Procedure for Formation of New States

- **Article 3:** Provisions for formation of new States and alteration of areas, boundaries or names of existing States. As per this,
 - o **Power:** Parliament may by law form a new State by separating territory from any State, uniting two or more States, uniting parts of States and uniting any territory to a part of any State.
 - o **Presidential Recommendation:** Such Bill shall be introduced in either House of Parliament only on President's recommendation.
 - o **Consultation with State Legislatures:** Before recommending a Bill, which affects area, boundaries or name of any of States, President shall refer this Bill to Legislature of that State to express its view within a specified time.
- Parliament can create a new state through ordinary legislation (i.e. with simple majority).

PROPORTIONAL REPRESENTATION

Recently, experts in India have called to consider Proportional Representation (PR) for Lok Sabha and State Assembly elections instead First-Past-The-Post (FPTP) electoral system.

Difference between First-Past-The-Post (FPTP) and Proportional Representation

	First-Past-The-Post (Simple majority system)	Proportional Representation
Geographical unit	<ul style="list-style-type: none"> Country is divided into small geographical units called constituencies or districts. 	<ul style="list-style-type: none"> Large geographical areas are demarcated as constituencies; the entire country may be a single constituency.
Representation	<ul style="list-style-type: none"> Every constituency elects one representative. 	<ul style="list-style-type: none"> More than one representative may be elected from one constituency
Voting Process	<ul style="list-style-type: none"> Voter votes for a candidate. 	<ul style="list-style-type: none"> Voter votes for the party
Seat Distribution	<ul style="list-style-type: none"> A party may get more seats than votes in the legislature. The winning candidate may not secure the majority (50%+1) of votes. 	<ul style="list-style-type: none"> Every party gets seats in the legislature in proportion to the percentage of votes it receives.
Examples	<ul style="list-style-type: none"> U.S., U.K., Canada, India (Lok Sabha and State Legislative Assemblies). 	<ul style="list-style-type: none"> Israel, Netherlands.
Benefits	<ul style="list-style-type: none"> Simple to understand for common voters. Facilitates the formation of a stable government. Encourages voters from different social groups to come together to win an election in a locality. 	<ul style="list-style-type: none"> Ensures representation of all parties based on their vote share. Fairer treatment of minority parties and independent candidates. Fewer votes are wasted as more people's preferences are taken into account.
Concerns	<ul style="list-style-type: none"> Over or under-representation of political parties compared to their vote share. Does not ensure due representation for minorities (small groups). 	<ul style="list-style-type: none"> Can lead to fragmented legislatures with multiple small parties. May result in coalition governments which can be less stable in parliamentary democracy.

NEW CRIMINAL LAWS COME INTO

EFFECT FROM JULY 1

The three new criminal laws were passed by Parliament in 2023.

- Section 106(2) of the Bharatiya Nyaya Sanhita (BNS), which provides for punishment in hit and run cases, has been put on hold.

- Significance of new criminal laws

o Reformatory justice: Such as community

service instead of imprisonment.

o Modernising the justice system: for ex Indian

Penal Code (1860) is outdated and does not reflect current norms of criminal jurisprudence.

o Seamless flow of information: Designed to

improve coordination and collaboration

between parties involved in investigation and

judicial proceedings.

New Act	Replacing	Major Points
Bharatiya Nyaya Sanhita 2023	Indian Penal Code, 1860	<ul style="list-style-type: none">• Community services for petty offense such as including attempted suicide to obstruct public servants' duties.• Sexual acts against women under 18 are classified as rape, regardless of consent.• Terrorist act is defined as a separate offence.

Bharatiya Nagarik Suraksha Sanhita 2023	Criminal Procedure Code, 1973	<ul style="list-style-type: none"> • Detention of undertrials: Accused detained for half the maximum sentence must be released on bond, except for death penalty or life imprisonment cases, or those with multiple pending charges. • Signatures and finger impressions: Magistrate of the first class can order an accused person, to give specimen signatures or finger impressions or handwriting or voice samples.
Bharatiya Sakshya Adhiniya m 2023	Indian Evidence Act, 1872	<ul style="list-style-type: none"> • Electronic and digital records are granted equal legal status as paper documents. • Oral evidence comprises all statements, including electronic ones, permitted or required by the Court from witnesses regarding matters under inquiry.

74 WOMEN MPS IN 18TH LOK SABHA

Election of 74 women to 18th Lok Sabha (LS), accounting for 13.6% representation in Lok Sabha, is a slight dip in women representation as 78 women were elected to 17th LS (14.4% representation).

Status of women representation in Legislature

- 9.7% of 797 women contestants won in 18th LS elections while in 17th LS elections, 10.74% of 726 women contestants won.
- Women's representation in LS increased from 5% in first LS to its highest in 17th LS (14.4%).
- Presently, women members constitute 14.05% of Rajya Sabha members.
- Globally, share of women in national parliaments is 26.9%.

MONTREAL PROTOCOL

According to a study, Montreal Protocol has been effective in reducing emissions of Ozone-Depleting Substances (ODS).

Key highlights of study

- Impact of Hydrochlorofluorocarbons (HCFCs) on Earth's energy balance and globally averaged chlorine content of ODS in troposphere has decreased since 2021, five years earlier (2026) than expected.
 - o HCFCs are compounds containing carbon, hydrogen, chlorine and fluorine.
 - HCFC-22, the most abundant HCFC, has declined significantly. Its Global Warming Potential (GWP) is thousands of times more than carbon dioxide (CO₂).
 - o HCFC-22 is used as a refrigerant in air conditioners, cold storage, retail food refrigeration, etc.
 - Minor decline were observed in HCFC-141b, second most abundant HCFC.
 - o HCFC-141b is used as a blowing agent in production of rigid polyurethane foams.
 - o India has achieved complete phase-out of HCFC-141b under ODS (Regulation and Control) Amendment Rules, 2014.
- ✓ This is in line with India's commitment under Montreal Protocol for Substances that Deplete Ozone Layer.

Montreal Protocol

- Signed in 1987, it is a global treaty to eliminate production and use of ODS.
- Implemented under Vienna Convention (adopted in 1985).
- Kigali Amendment to Montreal Protocol was adopted in 2016 (and entered into force in 2019) to phase-down production and consumption of Hydrofluorocarbons (HFCs).
 - o HFCs are non-ODS alternative to CFCs and HCFCs. HFC's global-warming potential (GWP) is thousands of times more than CO₂.

BHUVAN PANCHAYAT AND NDEM 5.0

Union Minister of State for Science and Technology to launch two Geoportals – Bhuvan Panchayat 4.0 and National Database for Emergency Management (NDEM 5.0).

- National level geospatial databases for these two portals are created by ISRO.

About Bhuvan Panchayat 4.0

- It is an online geospatial data and services dissemination platform.
- Objective: Integrate and use space-based information in governance and research initiatives for spatial planning at Gram Panchayat level.

About NDEM 5.0

- It provides a comprehensive geospatial database for entire country for situational assessment and effective decision-making during disasters/ emergency situations.

25 YEARS OF KARGIL WAR

India is celebrating 25 years of Kargil War victory or success of Operation Vijay.

- Operation Vijay, was launched by Indian Army in response to the infiltration of Pakistani soldiers and militants into the Kargil district of Kashmir.

o Indian Airforce launched 'Operation Safed Sagar' for conducting attacks on Pakistani troops positioned on high hills. Indian Navy launched 'Operation Talwar' to check Pakistan's navy in Arabian Sea.

- **Kargil Vijay Diwas** is observed annually on July 26 to commemorate the victory of success of Operation Vijay.

About Kargil War

- War theatre: The war was fought in the Kargil district of Kashmir across 170km high-altitude frontier near LoC.
 - o Key locations were Tololing, Tiger Hill, Batalik, Drass, Mushkoh Valley, Kaksar, Chorbit La.
- Commencement of war: The war commenced shortly after the signing of the Lahore declaration in 1999, when the Pakistan Army surreptitiously occupied the winter-vacated posts (vacated to prevent loss of soldier's life) of the Indian Army.
 - o In 1999, India and Pakistan signed the Lahore Declaration to reduce nuclear risks and resolve their border disputes peacefully.

EXERCISES IN NEWS

- **JIMEX:** Bilateral Japan – India Maritime Exercise (JIMEX) 2024 commenced at Yokosuka in Japan. This is the eighth edition, since its inception in 2012.
- **Exercise HOPEX:** Exercise HOPEX is a joint military exercise between Indian Air Force (IAF) and Egyptian Air Force.
 - o Aim – to promote bilateral and regional cooperation.
 - o IAF's Rafale fighter jets, C-17 Globemaster and IL-78 tankers are participating in the exercise.
 - o Location – Egypt

NALANDA UNIVERSITY

Recently, the Prime Minister inaugurated the new campus of Nalanda University in Rajgir (Bihar), which is envisaged as a center for inter-civilizational dialogue.

About Nalanda University

- Modern Nalanda University is a 'Net Zero Green Campus' featuring over 100 acres of water bodies known as Kamal Sagar ponds, an on-grid solar plant, and advanced water treatment facilities.
- It is located near the ancient Nalanda ruins.
 - o Bakhtiyar Khalji, a Turkish general serving under Qutbuddin Aibak, destroyed ancient Nalanda University in 1205 AD.
 - o In the early 19th century, the site was discovered and reported by Sir Francis Buchanan.
 - o In the 20th Century, subsequently systematic excavations were done by Archaeological Survey of India (ASI) which reignited interest in its revival.
- The project involves 17 participating countries, including Australia, China, Singapore, and Vietnam.

About Ancient Nalanda University

- Oldest residential university in the world: Nalanda was founded by Kumargupta I of the Gupta dynasty in 5th century CE.
- Patrons: It was patronized by various rulers including King Harshavardhana of Kannauj (7th century CE), Pala rulers (8th – 12th century CE).
 - o It is said that King Asoka gave offerings to the Chaitya of Sariputra at Nalanda and erected a temple there.

Important personalities

- o According to Pali Buddhist literature, Nalanda was visited by Buddha.
- o Sariputra and Moggallana, two of Buddha's chief disciples, hailed from the Nalanda region.

- o According to Jaina texts Mahavira Vardhamana spent as many as fourteen rainy seasons in Nalanda.

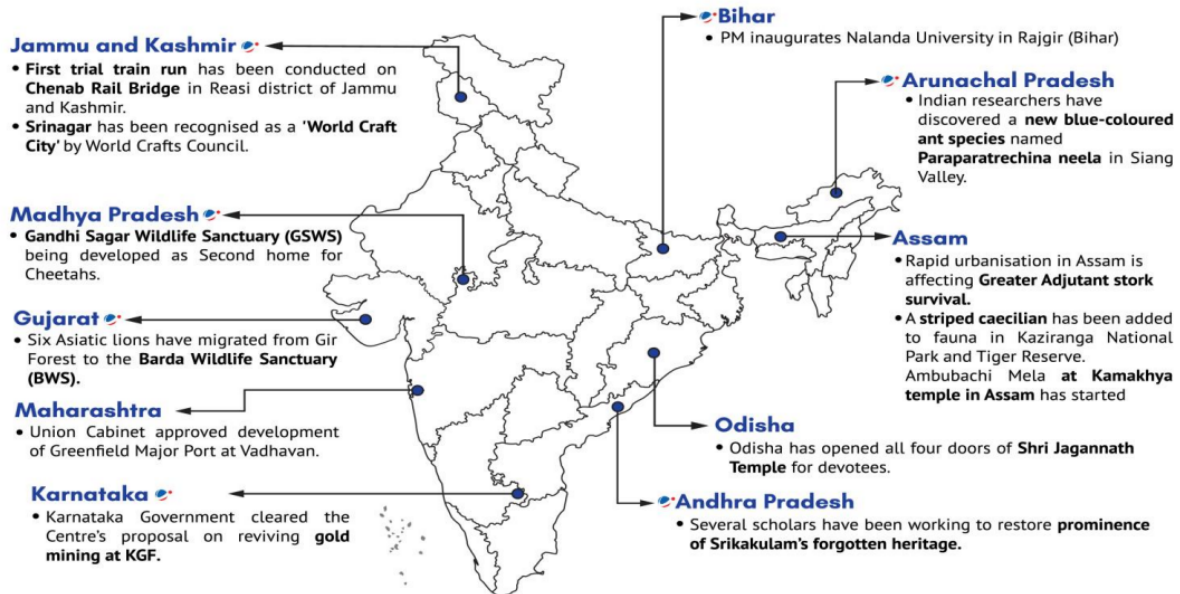
Prominent Teachers:

- o **Aryabhata:** The renowned mathematician and inventor of zero, studied and taught at Nalanda.
- o **Nagarjuna:** A Mahayana philosopher
- o **Dinnaga:** Founder of the school of Logic
- o **Dharmapala:** Brahmin scholar
- o **Abhayakaragupta:** A renowned tantric practitioner was simultaneously abbot of the Mahabodhi, Nalanda and Vikramashila monasteries.
- o Naropa: Belonged to the tantric lineages of the Tibetan traditions, and was abbot of Nalanda in the years 1049-57.

Foreign travellers:

- o Nalanda had attracted scholars from China, Korea, Japan, Tibet, Mongolia, Sri Lanka, and South East Asia.
- o The Chinese scholars I-Qing and Xuan Zang visited Nalanda in the 7th century CE.
 - ✓ Xuan Zang studied yogashastra at Nalanda under Chancellor Shilabhadra, the highest authority in yoga.
 - ✓ Xuan Zang also carried back many hundred scriptures which were later translated into Chinese.
- Recognition: The ruins of Nalanda were declared as a **UN World Heritage Site** in 2016.

India



World

