

# **CURRENT AFFAIRS: JULY 2024**

#### **SPECIAL PACKAGES**

Recently, the Chief Ministers of Bihar and Andhra Pradesh had demanded special financial packages for their respective States.

• Special Packages for both states Bihar and Andhra Pradesh were announced in Union Budget 2024-25

### **About Special Packages to States**

- Special Packages refers to support provided to states facing geographical and socioeconomic challenges, offering them additional financial assistance and other benefits.
- Constitution has provisions that address the issues of specific States, or States that have a special status with regard to certain matters mentioned in the Constitution.
  - o For instance, in Articles 371A to H.
- On the contrary, special packages are purely discretionary. They may be need-based, but the need is not the proximate reason for granting a special package.
  - o It is an additional grant under Article 282, which falls under 'Miscellaneous Financial Provisions'.
  - o Article 282 (Discretionary Grants): Empowers both Centre and states to make any grants for any public purpose, even if it is not within their respective legislative competence

# **CENTRAL BUREAU OF INVESTIGATION (CBI)**

Recently, Supreme Court in State of West Bengal v. Union of India case (2024) upheld the maintainability of West Bengal government's suit against the Union over registration and investigation of cases by CBI despite revocation of its general consent in 2018.



• In suit (filed under Article 131), State accused the Union of constitutional overreach and violation of federalism by unilaterally employing CBI without State's prior consent.

o Article 131 deals with Supreme Court's original jurisdiction in a dispute between Centre and one or more states.

# **Central Bureau of Investigation (CBI)**

- Genesis: Established in 1963 on recommendation of Santhanam Committee on Prevention of Corruption (1962-64).
- Ministry: Ministry of Personnel, Pension & Public Grievances.
- Status: Non-statutory and Non-constitutional body. It is governed by Delhi Special Police Establishment (DSPE) Act, 1946.
- About: Premier investigating police agency in India, which coordinates investigation on behalf of Interpol Member countries.

# **Consent of State for CBI**

o General: CBI is not required to seek fresh permission every time it enters that state in connection with investigation or for every case.

- ✓ Section 6 of DSPE Act empowers state government to give or deny consent to CBI officer.
- ✓ Apart from West Bengal, other states like Punjab, Telangana etc. have also withdrawn their general consent.

o Specific: CBI would have to apply to the state government in every case.



#### Important Judicial Pronouncement related to CBI

- Common Cause vs Union of India, 2019: SC held that Central Government shall appoint CBI Director on recommendation of Committee consisting of
  - o Prime Minister (Chairperson).
  - Leader of Opposition recognized as such in Lok Sabha or where there is no such Leader of Opposition, then,
     Leader of single largest Opposition Party in that House (Member).
  - o Chief Justice of India (CJI) or Judge of SC nominated by CJI (Member).
- **CBI v. Dr RR Kishore, 2023:** SC declared that its 2014 judgment in 'Subramanian Swamy versus Director, CBI and another' case, which declared Section 6A of DSPE Act 1946 as unconstitutional, will have retrospective effect. This means that Section 6A is held to not be in force right from the date of its insertion.
- CPIO CBI versus Sanjiv Chaturvedi, 2024: Delhi High Court held that Section 24 permits disclosure of
  information regarding allegations of human rights violations and corruption and exemption provided to scheduled
  organisations does not totally exempt CBI from purview of RTI Act.
- Vineet Narain v Union of India (1997): Commonly called the Jain Hawala Case—SC had struck down the 1969 "Single Directive" of the Union Government, a consolidated set of instructions issued to the CBI by various ministers on the modalities of initiating and registering cases.

# **ELECTION OF PRIME MINISTER IN NEPAL**

Recently, Shri K. P. Sharma Oli was sworn in as Nepal's Prime Minister for the fourth time to lead a new coalition government.

- Since the monarchy's abolition in 2008, Nepal has experienced 14 governments, highlighting its instability.
- Unlike Quasi-Federal republic of India, Nepal's 2015 constitution established it as a federal democratic republic. However, Constitution of both the countries have many similar features.

# **Constitutional Similarities Between India and Nepal**

- Secular State: Both protect religious freedom.
- Fundamental Rights: Comprehensive fundamental rights, including socio-economic rights to the Citizens.
- Bicameral Parliament: The executive branch is accountable to the legislature.
- Head of the Government: The President is the ceremonial head, while the Prime Minister is the real head of government.
- Affirmative Action: Includes provisions for marginalized groups to promote inclusivity.



• Other Features: Every adult citizen has the right to vote, multi-party-political system, constitutional supremacy and an independent judiciary, with the Supreme Court as the ultimate interpreter of the Constitution.

# **CONSTITUTIONAL MORALITY**

Recently the CJI said that 'Constitutional Morality' is essential to India's diversity.

- Constitutional morality entails adherence to constitutional norms that enable the practice of the Constitution not only in letters but also in spirit.
  - o It goes beyond the literal interpretation to encompass a commitment to constitutional values such as sovereignty, social justice, and equality.
- British historian George Grote first coined the term.
  - o He emphasised the balance between freedom and restraint, where citizens obey constitutional authorities but also have the freedom to criticize them.

# Some constitutional provisions related to Constitutional Morality

- Fundamental Rights: Individuals' rights against the arbitrary use of state power.
- Fundamental Duties: Citizens have responsibilities to the nation.
- Separation of power: Judicial review of legislative and executive actions, legislative oversight of the executive, etc.

#### **ARTICLE 341**

Supreme Court stated that the State Can't Alter the Schedule Caste (SC) List Published Under Article 341.

• The Court struck down Bihar govt resolution to merge Economically Backward Class Community in SC List.

#### **About Article 341**



- President can officially designate certain groups as Scheduled Castes for specific States or Union Territories.
  - o For States, this is done after consulting the Governor. The designation may include entire castes, races, tribes, or subgroups within these categories.
  - o Parliament may by law include in or exclude from the list of Scheduled Castes.

# PRESIDENT RETURNS BILL PASSED BY PUNJAB LEGISLATIVE ASSEMBLY

The Punjab Universities Laws (Amendment) Bill, 2023was reserved for the President's assent by Punjab Governor.

• The bill proposed to replace the governor with the chief minister as the chancellor of state universities.

# **Reservation of State Bills for President's Consideration**

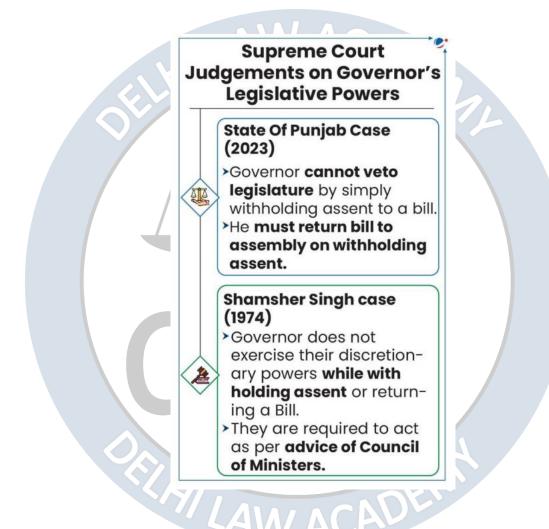
- Article 200 of the Constitution outlines Governor's power regarding bills passed by the state legislature.
  - o It provides that Governor may reserve such a bill for President's consideration.
- Enactment of reserved bill then depends upon President's assent or refusal of assent and Governor has no role in it.
- If President directs the Governor to return the bill to state legislature for reconsideration, state legislature shall reconsider it within 6 months and present it again to President.
  - o However, it is not obligatory for President to give his assent to reconsidered bill.

#### Other powers of Governor on State Bills

- Once a bill is passed by the state Legislative Assembly, it is presented to Governor who is vested with four options:
  - o Grant Assent: Makes the bill a law.



- o Withhold Assent: Effectively rejects the bill.
- o Return Bill for Reconsideration: If legislative assembly passes the bill again with or without amendment, the Governor shall give his assent.
- o Reserve the Bill for the President's Consideration



#### **INSTABILITY IN INDIA'S NEIGHBOURHOOD**

Bangladesh's Prime Minister has resigned amid mass protests.

• An interim government has been sworn and it's led by Bangladesh's only Nobel Laureate and economist who is known for founding the Grameen Bank and pioneering the concepts of microcredit and microfinance.



• South Asia's recent political upheavals, including unrest in Bangladesh and instability in neighboring countries, have significant implications for India's strategic interests and regional stability.

# Possible implications of recent development in Bangladesh

- Disruption in India-Bangladesh partnership: Erstwhile Bangladesh PM's ouster means that India has lost a trusted partner in the region.
  - o Previous govt was friendly to India, and both worked closely on countering terrorist groups operating out of Bangladesh.
- Increase in illegal migration and forced displacement: The rise of extremism in Bangladesh, threatening, minority population, could lead to their migration to India straining India's resources, particularly in border states.
- Incursion of foreign power in Bangladesh's internal politics which may create a security threat to India.
- Economic and investment threats: Since 2016, India has provided \$8 billion in credit for the development of road, rail, shipping, and port infrastructure in Bangladesh.

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o Threat to key projects that include the Akhaura-Agartala rail link and the Khulna-Mongla Port rail line.



# Instability in India's Neighbourhood



Myanmar:
Military coup in
2021 has
destabilized
democracy,
sparking
widespread
protests
and violence.



Afghanistan:
Taliban takeover
in 2021 led to
collapse of
democratic
government.



Sri Lanka: In 2022, Economic crisis triggered political instability and public unrest.



Maldives:
Political
turbulence in
the Maldives –
which began
in 2012, when
radicals for
ced the country's
President to
resign at
gunpoint.



Nepal:
Political
instability
persists due
to frequent
government
changes.

# **INTERNATIONAL HUMANITARIAN LAW**

2024 marks the 75th anniversary of the Geneva Conventions of 1949 which is the cornerstone of International Humanitarian Law (IHL).

- Geneva Conventions are a series of treaties on the treatment of civilians, Prisoners of War (PoWs), and soldiers who are otherwise rendered hors de combat ("outside the fight") or incapable of fighting.
- The ongoing conflict between Russia and Ukraine and the conflict in Gaza displayed tragic violations of humanitarian laws exposing the inadequacies of IHL in restraining atrocities.

# **About International Humanitarian Law**

- IHL, also known as the law of war or law of armed conflict, is a set of rules that seek for humanitarian reasons to limit the effects of armed conflict and protect persons who are not or who are no longer participating in hostilities.
- 4 Geneva Conventions of 1949 (GC I, II, III and IV) and its 3 Additional Protocols form the foundation of the modern IHL.
  - o These have been universally acceded to or ratified by all the nations in the world.



# **Important Principles of IHL**





**Principle of distinction:** Distinguish at all times between civilians and civilian objects on the one hand, and combatants and military objectives.



**Principle of proportionality:** Requires parties to anticipate incidental harm that might be caused directly by an attack and the indirect effects, provided that they are reasonably foreseeable.



**Principle of precaution:** Requires parties to an armed conflict to take constant care to spare the civilian population, civilians and civilian objects in the conduct of all military operations

# SHANGHAI COOPERATION ORGANIZATION (SCO)

The 24th summit of the Council of Heads of State of the Shanghai Cooperation Organization (SCO) held in Astana, Kazakhstan, adopted the Astana Declaration.

• The summit is titled: Strengthening Multilateral Dialogue—Striving Towards a Sustainable Peace and Prosperity.

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- For the first time, UN Secretary attended the summit.
- Belarus becomes the 10th member of SCO.





# **Shanghai Cooperation** Organisation (SCO)





Genesis: It was founded at the Shanghai summit in 2001 by Russia, China, the Kyrgyz Republic, Kazakhstan, Tajikistan and Uzbekistan



SCO has 10 members: China, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, India, Pakistan, Iran (2023) and Belarus (2024).

It includes 3 observer states and 6 dialogue partners.



#### Structure:

- The Council of Heads of States: apex decision-making body
- Council of Heads of Governments: second-highest council
- Two permanent bodies the Secretariat in Beijing (China) and the Regional Anti-Terrorist Structure (RATS) in Tashkent, Uzbekistan



# Major Goals and Objectives:

- To address security related concerns and resolving border issues.
- Military Co-operation and intelligence sharing. Exercise Peaceful Mission, 2021 (hosted by Russia).
- Countering terrorism and Co-operation in education, energy, transportation, etc.

#### TRANSSHIPMENT PORT

India welcomed its first cargo ship at its newly built semi-automated transshipment port in Vizhinjam International Transshipment Deepwater Multipurpose Seaport, Kerala.

- The port is owned by Government of Kerala.
- It is designed primarily to cater to container transshipment besides multi-purpose and break-bulk cargo.
- Port has been developed in landlord Port model with a Public Private Partnership component on a Design, Build, Finance, Operate and Transfer ("DBFOT") basis.

o Under landlord model, port authority acts as regulatory body, while port operations are carried out by private companies.



# **Transshipment Port**

- It is a transit hub where cargo from one ship is transferred to another on the way to its final destination. (includes rails, roads, etc.)
  - o Smaller parcels of cargo are loaded on a bigger ship which is able to travel to distant ports in other countries.

# Significance of India as a Transshipment Hub

- Revenue Generation: Transshipment hub has potential to curb revenue losses for Major ports (\$200-220 Million) in transshipment handling.
  - o Currently, nearly 75% of India's Transshipment cargo is handled at ports outside India.
- Reduced Logistic Costs: It will help in lowering logistic and shipping costs by increasing efficiency.
  - o Average turnaround time for Indian ports declined from 4.3 days (2012-13) to 2.1 days (2022-23) which still need improvement (Global median ship turnaround time was 1.04 days in 2022).
- Stimulating Economic Growth: Port will significantly result in savings of foreign exchange reserves, attracting foreign direct investment & increased trade.
  - o Growth of allied businesses will take place around port E.g. Ship repair, warehousing, bunkering etc.
- Self-Reliance: With increasing Chinese influence in port infrastructure in Indian Ocean as part of Belt and Road Initiative, dependence on foreign ports is a potential national security challenge.
- Integration with Global Value Chain: Poor shipping connectivity has hindered India's integration in global value chain. (India's share in world trade is about 2%)



# **EXERCISES IN NEWS**

- **Nomadic Elephant**: Joint Military Exercise between armies of India and Mongolia will be conducted in Meghalaya.
- Exercise MAITREE: Joint military Exercise between India-Thailand was conducted in Thailand.
- RIMPAC Exercise: The opening ceremony for the 29th edition of the biennial Rim of the Pacific (RIMPAC) exercise was held in Hawaii (USA).
  - o It is world's largest international multilateral maritime exercise (India also takes part in it)
  - o It aims to build relationships, enhance interoperability, contribute to the peace and stability in the Indo-Pacific region."
- Exercise Freedom Edge: South Korea, US and Japan began their first trilateral multidomain exercise, Freedom Edge. It took place in South Korea's southern island of Jeju.
- Exercise Pitch Black: Indian Air Force Contingent reached Australia to participate in Exercise Pitch Black.
  - o Held every two years, it is a multinational exercise.
- Exercise Sagar Kavach 01/24: It is a coastal security exercise held along Andhra Pradesh coast.
  - o Assets of Indian Navy, Coast Guard, Marine Police, fisheries, customs and other security agencies were engaged in it.

#### **HIGH SEAS TREATY**

Union Cabinet has approved India to sign the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement, also known as the High Seas Treaty. The Ministry of Earth Sciences will spearhead its implementation.

#### What are High Seas?

• Definition: High seas are areas outside the national jurisdiction of any country.



- o Typically, national jurisdictions extend up to 200 nautical miles (370 km) from the coastline, an area called Exclusive Economic Zone (EEZ).
- Global Commons: High Seas constitute about 64%, roughly two-thirds, of the total ocean area and are considered global commons.
  - o They belong to no one, and everyone enjoys equal rights for navigation, overflight, economic activities, scientific research, or laying of infrastructure like undersea cables.

# **BBNJ Agreement**

- Name: It is formally called the Agreement on Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction.
- Under UNCLOS: It is an international treaty under the United Nations Convention on the Law of the Sea (UNCLOS).
- Adoption: Agreement was adopted in 2023 and is open for signature for two years.
  - o It will be an international legally binding treaty after it enters force 120 days after 60 countries ratify it.
  - o As of June 2024, 91 countries have signed the BBNJ Agreement, and eight Parties have ratified it.

# **UN Convention on Laws of the Seas (UNCLOS)**

- UNCLOS is a comprehensive international law that lays down the broad frameworks for legitimate behaviour on, and use of, seas and oceans everywhere.
  - o It was adopted in 1982 and came into force in 1994.
- State Parties: UNCLOS has now achieved almost universal acceptance (170 State Parties including India) and is often referred to as the "constitution of the oceans".
- Provisions: It defines the rights and duties of nations regarding activities in the oceans, and also addresses issues such as sovereignty, passage rights, and rights of exclusive economic usages.

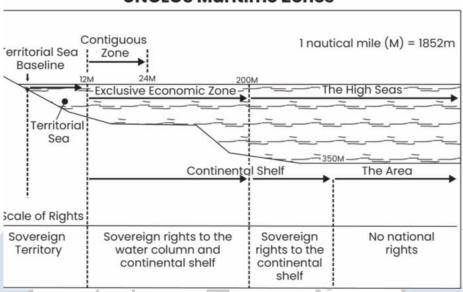


- International Seabed Authority (ISA): It establishes the ISA to regulate mining and related activities on the ocean floor beyond national jurisdiction.
- Territorial demarcation: UNCLOS demarcates different zones of the oceans as follows:
  - o **Territorial Sea**: It extends up to 12 nautical miles from shore and coastal States have full sovereignty here.
  - o **Contiguous Zone**: It extends up to 24 nautical miles and acts as a buffer zone in which the coastal State has limited enforcement authority to prevent infringements in its territorial zone.
  - o **Exclusive Economic Zone** (EEZ): It can extend up to 200 nautical miles and coastal States do not have full sovereignty, but have sovereign rights and jurisdiction for the exploitation, conservation and management of marine resources.
  - o **High Sea**: It encompasses any part of the sea that does not fall into any of the other zones and is therefore outside of the jurisdiction of any state.
- Seabed zoning system: For the seabed, subsoil and resources therein, UNCLOS established a zoning system as follows:
  - o Continental shelf: It can extend beyond a State's territorial sea and even EEZ if it is naturally contiguous, and a State holds sovereign rights for exploration and exploitation of its resources.
  - o Area: It is common heritage of humankind and activities related to seabed mineral resources shall be carried out for the benefit of humankind as a whole.

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#### **UNCLOS Maritime Zones**



# **GREAT INDIAN BUSTARD**

Ministry of Environment, Forest and Climate Change (MoEFCC) approved funds for next phase (from 2024 to 2029) of Bustard Recovery Program.

# **Bustard Recovery Program**

- Coverage of species: Great Indian Bustard (GIB) and Lesser Florican.
  - o There are four bustard species present in India, other two are Bengal Florican; Macqueen's Bustard.
- Background: Plans to recover the species first started in 2013 under the National Bustard Recovery Plan, which later gave way to the Bustard Recovery Project in 2016.
  - o The Bustard Recovery Project commenced for an initial period of five years (2016-21) and now extended till 2033.
- Current Status: As of now, around 140 GIBs and fewer than 1,000 Lesser Floricans are surviving in the wild.
- Project implemented by: Wildlife Institute of India.



# **ARAKU COFFEE**

Araku coffee found mention in Prime Minister's 'Mann ki Baat'.

# **About Araku Arabica Coffee**

- Grows in the hilly tracks of Andhra Pradesh and Odisha.
- Accredited with Geographical Indication (GI) Tag in 2019.
- Takes its name from Araku Valley, situated in the Eastern Ghats (Andhra Pradesh).
  - o Weather of the valley with its hot days and cold nights along with the iron-rich soil allows the coffee to ripen slowly and gives it aromatic richness and taste.
  - o Produced by the tribals with emphasis on organic approach with use of organic manures, green manuring and organic pest management practices.

# **INDIA'S SPORTS ECOSYSTEM**

India's Olympic ranking fell from 48th in Tokyo (2020) to 71st in Paris.

- India won six medals in Paris with no gold medals (one silver, five bronze), down from seven in Tokyo (one gold, two silver, four bronze).
- Despite the decline, Paris was still India's third-best Olympic performance, better than Rio 2016's two medals.
- Also, this decline contrasts with improved performances in other events like the 2022 Commonwealth Games and 2021 Summer Deaflympics.
- o Thus, the recent Olympic slide highlights gaps in India's sports ecosystem despite multiple initiatives taken to improve India's sports ecosystem.

#### **India's Sporting Ecosystem**

• Sports is a state subject. Thus, the responsibility for promotion/development of sports in the country, including providing sports facilities, rests primarily with the respective State / UT Governments.



- However, Central government, through its various schemes, supplements the efforts for state government
- Sports generates revenue and raises country's soft power while also having significant contribution to general health and well-being of the players.
  - o Despite these benefits, only around 6% of India's population participates in sports, which is much lower than around 20% in countries like the US, Australia and as high as 60% in Japan.

#### **About Olympic Games**

- Genesis: Olympic games began in 1896 in Athens (Greece), with 14 nations competing in nine sports. The Games are held every four years since then.
- Motto: "Faster-Higher-Stronger" reflecting the aim of the Olympic movement from an athletic, technical, moral and educational perspective.
- Olympic Flag: Introduced in 1920, the flag features five interlocking rings symbolising the 'five parts of the world' in which the Olympic movement prevails.
- Olympic Flame: It symbolizes the positive values of fire and with the Olympic Torch Relay, the flame travels the country in which the Games are being held, starting a few months before the Games begins.
- Paris 2024: Included 4 additional sports viz., breaking (making its Olympic debut), sport climbing, skateboarding, and surfing.
- Court of Arbitration for Sport (CAS): It was created in 1983 to deal with the legal problems that an athlete could face.
  - o It is **recognised by the Paris Convention** signed by the presidents of the **IOC** among others

# **GENETICALLY MODIFIED (GM) CROPS**

The Supreme Court pronounced a split verdict on the validity of the decision of Union government granting approval for environmental release of genetically modified (GM) mustard crops in 2022.

- Spilt Verdict of 2-Judge bench:
  - o One Judge held that approval given by the Genetic Engineering Appraisal Committee (GEAC) in 2022 is "vitiated" (defective) and contrary to the principle of public interest.
    - ✓ The Judge noted that the FSSAI has not conducted any study on the impact of GM mustard on health.
  - o Second Judge held that the approval was not vitiated. The Judge has issued directions for strict monitoring by the Union Government.



• Directions passed by the court: The Union of India has to evolve a national policy regarding GM crops. The policy be framed in consultation with all stake holders, including states, farmers groups etc.

# What is Genetic Modification?

- It involves altering an organism's DNA. This can be done by altering an existing section of DNA, or by adding a new gene altogether.
- Working: When a scientist performs genetic modification to a plant, they insert a foreign gene (called transgene) in the plant's own genes.
  - o This could be introduced from one plant to another plant, from a plant to an animal, or from a microorganism to a plant.

# **About GM Mustard Crop (DMH-11)**

- DMH-11 is developed by Centre for Genetic Manipulation of Crop Plants (Delhi University).
  - o It paves the way for the commercialisation of the country's first GM food crop.
  - o GM mustard has not been released for commercial cultivation yet.

# Other Genetically Modified (GM) Crops in India

- **Bt-Cotton**: It is the first non-food and only approved GM crop in 2002 for commercial cultivation. It was introduced to protect against the widespread infestation of bollworm. In 2018-19, it was 95% of the total cotton planted in India.
- **Bt-Brinjal**: In 2009, Bt-brinjal was cleared by GEAC for commercial cultivation, but it was put on a 10-year moratorium by the Technical Expert Committee (TEC) following public backlash.
  - o Recently, GEAC has allowed field trials of 2 new varieties (Janak and BSS-793) of indigenously developed Bt brinjal in 8 states during 2020-23.

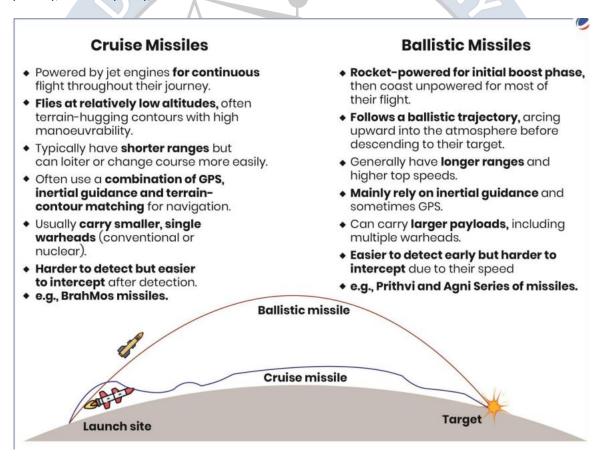


# INDIA'S BALLISTIC MISSILE DEFENCE PROGRAM

Recently, DRDO successfully conducted flight-tests of the Phase-2 Ballistic Missile Defence (BMD) System.

# **About Ballistic Missile Defence (BMD) Systems**

- BMD systems seek to defend against an aerial attack like drones, fighter jets, and ballistic and cruise missiles by launching interceptors that would hit incoming missiles and destroy them on impact.
- Other Important Missile Defence systems of the world include THAAD (USA), Iron Dome (Israel), Patriot (USA), etc.



# India

