



## CURRENT AFFAIRS: APRIL 2025

### SEPARATION OF POWERS

Vice President of India emphasized on the principle of Separation of Power and stated that in a democracy, governance should be only by executive – the government – which is elected by the people and is accountable to them.

- Vice President emphasized that principle of separation of powers necessitates clear demarcation of responsibilities to prevent institutional overreach.
- He stated that any incursion by the Legislature, Executive, or Judiciary in the domain of the other poses a challenge.

#### Idea behind the Separation of Powers

- Idea: Separation of Powers means demarcation of authorities and duties into three branches of government –Executive, Legislature and Judiciary.
  - o The executive enforces laws made or enacted by the legislature and is responsible for the administration of the government.
  - o The legislature makes laws, amends and replaces old laws, and controls, supervises, and scrutinises the activities of the executive.
  - o The judiciary is concerned with the administration of justice, interpretation of laws and is the guardian of the Constitution.
- Origin: Aristotle for the first time classified the functions of the Government into three categories viz., deliberative, magisterial and judicial.
  - o However, French Jurist Montesquieu is considered the modern exponent of the theory of the Separation of Power.
- Modern Theory: In his book *The Spirit of the Laws* (1748), Montesquieu enunciated and explained his theory of the Separation of Powers.



- Part of Basic Structure: The Supreme Court held that the doctrine of separation of powers is part of the basic structure of the Constitution.
- Conflicts among Organs:
  - o Judicial Interventions: The Supreme Court, through its judgments, encroaches on the legislative domain.
    - > For instance, the Supreme Court ruled that the President must decide on State Bills, reserved by the Governor for Presidential assent, within three months.
  - o Legislative encroachment: The Legislature enact laws encroaching on other domains like the National Judicial Appointments Commission (NJAC) Act, which included the Union Law Minister and two eminent persons in committee recommending judges.
  - o Executive overreach: Many tribunals have a majority of executive members, negating the concept of separation of powers. Also, frequent promulgation of ordinances bypasses the legislature for law-making.

## ASSENT TO STATE BILLS

Recently, the Supreme Court (SC) in the State of Tamil Nadu v. The Governor of Tamil Nadu issued directions to ensure the timely approval of Bills passed by the State Legislature.

- Background: Between November 2020 and April 2023, the state legislature passed 13 bills.
  - o Of these, 10 were either withheld or sent back to the Assembly by the Governor without any communication.
    - > When the Assembly re-passed them without any material changes, the Governor reserved them for the President instead of giving assent.
    - > In response, the Tamil Nadu government filed a writ petition challenging the Governor's prolonged inaction on important bills.

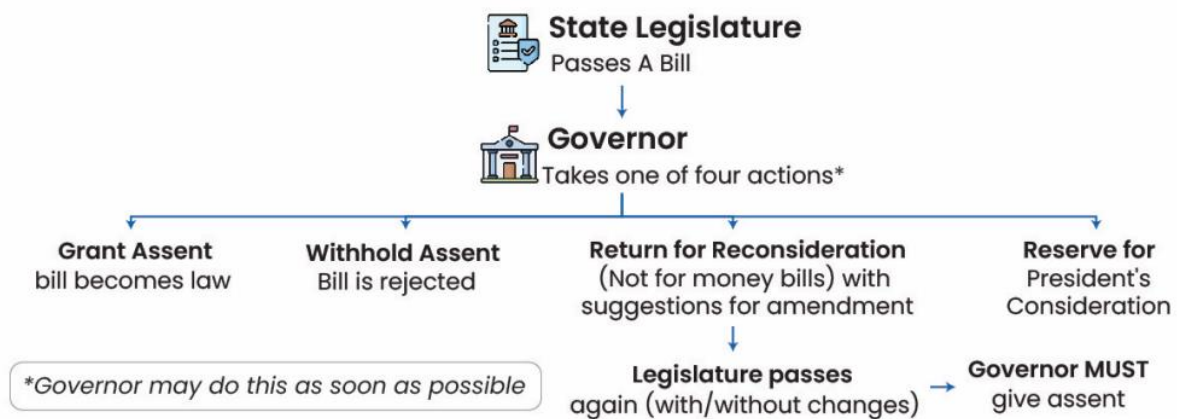
o Court held that the Governor's inaction, reserving the Bills after re-passage, was legally invalid. Therefore, the President's actions on those Bills were also declared null and void.

- Court used power under Article 142 of the Constitution: The Supreme Court exercise its inherent powers under Article 142 of the Constitution, which empowers the SC to pass a decree/order necessary for doing complete justice.

## Constitutional Provisions Regarding Assent to State Bills

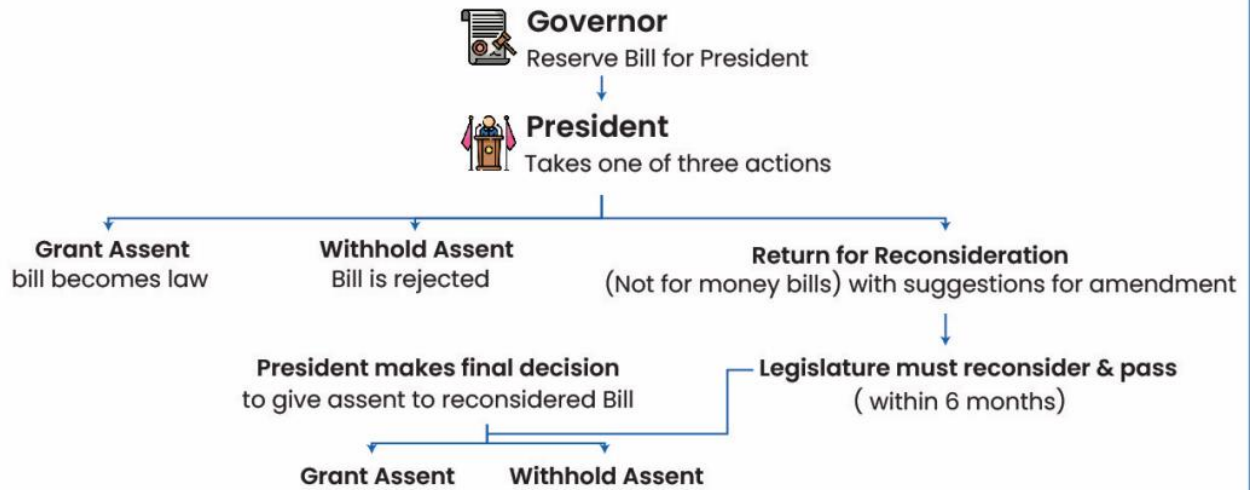
### Governor's Responsibility for State's Bill

Article 200 of the Constitution of India



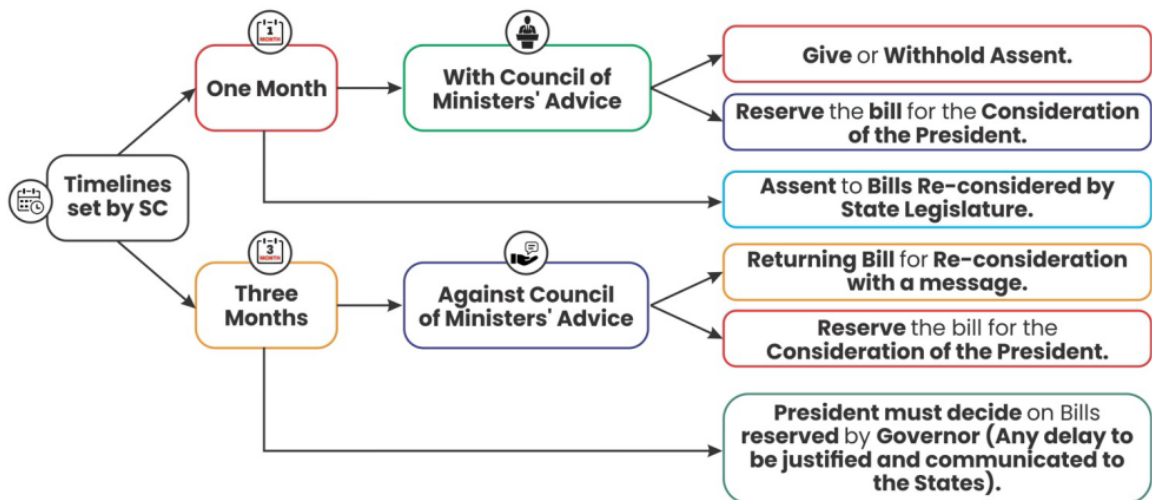
## President's Responsibility for Bills Reserved by the Governor

Article 201 of the Constitution of India



**Key Difference:** Unlike Governor, President is NOT obligated to give assent to reconsidered Bills

## Timelines set by Supreme Court for State Bill





## DEPUTY SPEAKER OF THE LOK SABHA

Long term vacancy since 2019 to the office of Deputy Speaker (DS) points to Constitutional anomaly.

### About DS of the Lok Sabha

- Background: The office emerged in 1921 under Government of India Act, 1919.
  - o Sachidananda Sinha first held this office in the Central Legislative Assembly.
  - o M. A. Ayyangar, became the first elected DS post-independence.
- Election: Article 93 provides that Lok Sabha, as soon as may be, choose two members of the House to be Speaker and DS.
  - o As per a long-standing convention, the post of DS has been offered to the Opposition.
- Resignation and Removal: Article 94 deals with vacation, resignation and removal (by a resolution passed by a majority of all then members of the House).
  - o Speaker may resign by submitting a resignation to the DS and vice-versa.
- Duties: As per Article 95, DS performs the duties of Speaker in case of vacancy, absence, etc.

### INACTION BY SPEAKERS ON DEFECTION PETITIONS

Supreme Court (SC) condemned prolonged inaction by speakers on defection petitions.

- The SC said Speaker could not use his indecision to defeat the worthy objective of the Tenth Schedule (antidefection law) of the Constitution.
- Question of Law in front of Supreme Court: Can constitutional courts direct Speakers, acting as quasi-judicial tribunals, to decide anti-defection disqualification petitions within a specific timeframe?

## Anti-defection Law

### Concept

Introduced through 52nd Amendment Act, 1985, adding the Tenth Schedule to the Constitution to prevent political defections



### Purpose

Ensure stability in legislatures by preventing arbitrary party switching



### Grounds For Disqualification For a Member Of The House

Voluntarily giving up party membership  
Defying party whip during voting



### Role Of Speaker/chairperson

Acts as a quasi-judicial authority  
Decides on disqualification petitions  
Final arbiter in the disqualification process



### Other SC Observations to Improve Implementation of AntiDefection Law

- Judicial Review Over Speaker's Decisions: Courts should have the authority to intervene if the Speaker delays action. Case: **Kihoto Hollohan v. Zachillhu** (1992).
- Impartiality of the Speaker: The Speaker should act as a neutral adjudicator rather than a political figure. Case: **Ravi S. Naik v. Union of India** (1994).
- Independent Tribunal for Disqualification Cases: Consider transferring disqualification powers from the Speaker to an independent tribunal. Case: **Karnataka MLAs' disqualification case** (2020).

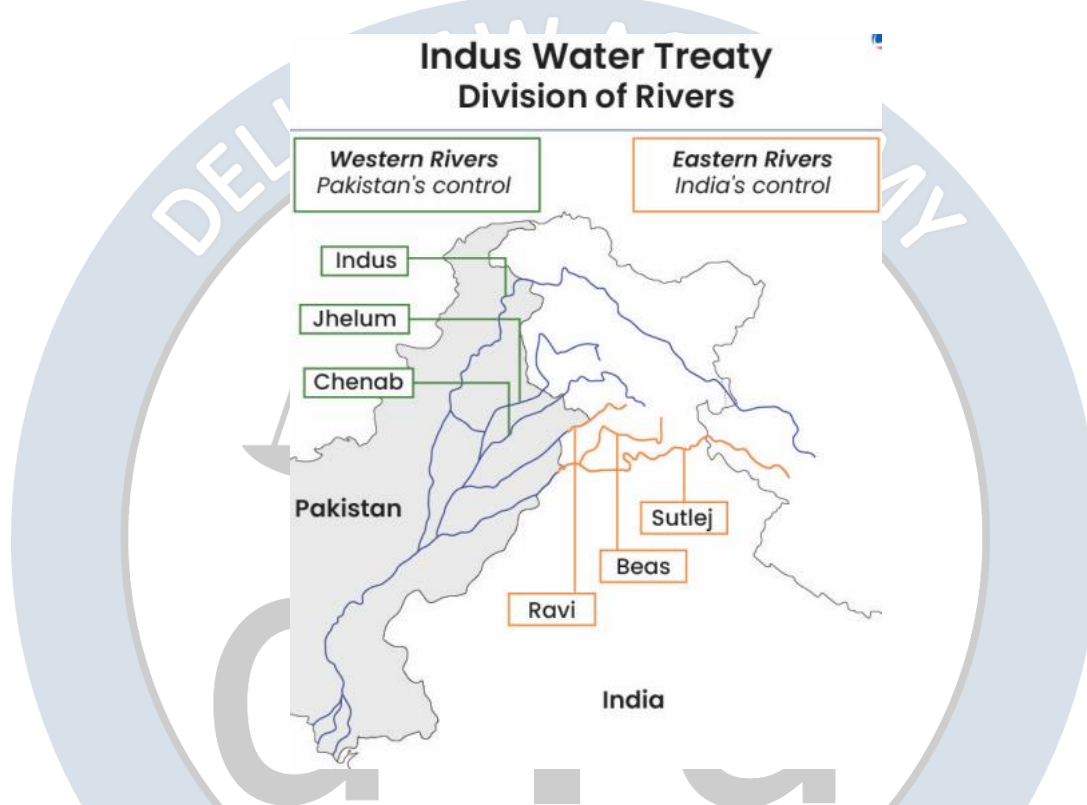
### INDUS WATERS TREATY

India announced the Indus Waters Treaty (IWT) of 1960 with Pakistan will be held 'in abeyance' with immediate effect, until Pakistan stops its support for cross-border terrorism, after recent terror attack.

- The term 'abeyance' refers to a state of temporary disuse or suspension, but it is not a legally recognized concept under international treaty law.



- Neither IWT nor the Vienna Convention on the Law of Treaties, 1969 (VLCT) provides 'abeyance' as a basis for halting or suspending treaty obligations.
- The IWT does not have a provision allowing for unilateral suspension.
  - o Article XII (4) of the IWT states the treaty "shall continue in force until terminated by a duly ratified treaty concluded for that purpose."



## About the Indus Waters Treaty

- Origin: Signed in 1960 between India and Pakistan with the help of the World Bank, which is also a signatory.
- Objective: To determine the distribution of the waters of the Indus and its tributaries between India and Pakistan.
- Division of water:
  - o Eastern Rivers: (Ravi, Beas, and Sutlej) for India's unrestricted use.

o Western Rivers: (Indus, Jhelum, and Chenab) are allocated to Pakistan but India allowed for specific nonconsumptive uses like navigation, flood protection or flood control, Domestic use, Agricultural use, Generation of hydro-electric power etc.

o According to Article III (1) of the Treaty, “India is under obligation to let flow” waters of the Western Rivers to Pakistan.

- Exchange of Data: IWT provides for data exchange with respect to the flow in, and utilization of the waters of, the Rivers regularly between the Parties.

- Dispute Resolution: IWT provides 3 Step Dispute Resolution Mechanism viz.

- o Step 1: Permanent Indus Commission (PIC): Disputes are first decided at the level of the Indus Commissioners.

- > The treaty required the creation of a PIC, with a commissioner from each country for communication.

- > PIC is mandated to meet regularly at least once a year, alternately in India and Pakistan.

- o Step 2: Neutral Expert: Appointed by World Bank and involves rendering a binding decision.

- o Step 3: Court of Arbitration (CoA): If a neutral expert fails, the dispute goes to CoA. It is a generally seven member ad-hoc arbitral tribunal, determines its procedures and decisions by majority vote.

## **CHINA’S RARE EARTH ELEMENTS EXPORT CONTROL**

China’s Ministry of Commerce imposed export restrictions on seven rare earth elements (REEs) and magnets used in the defence, energy, and automotive sectors in response to U.S. tariff increases.

- The new restrictions apply to 7 of 17 REEs: It requires companies to secure special export licenses to export these minerals and magnets.

- The new restrictions are not a ban: They require firms to apply for a license to export rare earths.



## What are Rare Earth Elements (REE)?

- Misnomer: According to the United States Geological Survey (USGS), most REEs are not as rare as their name suggests and are found in abundance in the Earth's crust.
  - o However, they're rarely found in concentrations that are economically viable for mining.
- They were named "rare-earth elements" because most were identified during the 18th and 19th centuries as "earths Elements" and, in comparison to other "earths Elements," such as lime or magnesia, they were relatively rare.
  - o Earth's Elements are defined as materials that cannot be changed further by heat.
- Rare Earth Elements (RREs): As per the International Union of Pure and Applied Chemistry (IUPAC) in 2005, are a group of 17 elements.

## 6TH BIMSTEC SUMMIT

The 6th BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation) Summit with the theme "BIMSTEC: Prosperous, Resilient and Open", concluded in Bangkok under the chairmanship of Thailand.

### **Major India -Led Initiatives launched at 6th BIMSTEC Summit**

- BIMSTEC Centres of Excellence: To be set up in India on Disaster Management, Sustainable Maritime Transport, Traditional Medicine, and Research and Training in Agriculture.
- BODHI (BIMSTEC for Organized Development of Human Resource Infrastructure): For skilling the youth through training & scholarships to professionals, students, researchers, etc.
- Digital Public Infrastructure: India to conduct a pilot study assessing its need in the region.
- Strengthening people-to-people linkages: India to host first BIMSTEC Games in 2027. India would also host BIMSTEC Traditional Music Festival.



## About BIMSTEC

- Genesis: It is a regional organization established in 1997 with signing of the Bangkok Declaration.
  - o It was originally formed with 4 Members (Bangladesh, India, Sri Lanka & Thailand) with the acronym 'BIST-EC'.
- Secretariat: Dhaka, Bangladesh
- Member States (7): Bangladesh, Bhutan, India, Myanmar, Nepal, Sri Lanka, and Thailand.

## SAARC VISA EXEMPTION SCHEME

The Indian government has announced that Pakistan nationals will not be permitted to travel to India under the SAARC Visa Exemption Scheme (SVES).

### About SAARC Visa Exemption Scheme

- Launched: In 1992, following the decision at the 4th SAARC Summit held in Islamabad in 1988.
- Aim: Promote people-to-people contact and enhance regional cooperation among SAARC members.
- Currently, the list included 24 categories of entitled persons, which include Dignitaries, Judges of higher courts, etc.

## EXTRADITION

26/11 Mumbai Terror Attack Accused Extradited to India From the US.

- According to the UN Office on Drugs and Crime (UNODC), extradition means the surrender of any person who is sought by the requesting State for criminal prosecution for an extraditable offence.



- Extraditable offence refers to an offence provided for in extradition treaty with that State or the offence is punishable with at least 1 year of imprisonment either in India or in foreign State (in case of no treaty).

## What is the framework for Extradition?

- In India:
  - o The Extradition Act 1962 (substantially modified in 1993) consolidated the law relating to the extradition of criminal fugitives from India to foreign states.
    - > The Ministry of External Affairs is the nodal authority for Extradition in India.
    - > India has extradition treaties with 48 nations, including Bangladesh and the USA.
  - o The Government of India finally decides on Extradition and this decision can be appealed in a higher court.
- Globally: United Nations Model Treaty on Extradition (1990), UN Model Law on Extradition (2004), United Nations Convention against Transnational Organized Crime (2000), etc. are some of the international frameworks which deal with various principles of extradition.

## INDIA'S EXTENDED CONTINENTAL SHELF CLAIM

Recently, India has increased its claim in the Central Arabian Sea, as part of its 'extended continental shelf' by nearly 10,000 square km but also modified an earlier claim to avoid a long-standing dispute with Pakistan.

### Dispute over the maritime boundary

- Exclusive Economic Zone: Coastal countries have an "exclusive economic zone," (EEZ) which gives exclusive mining and fishing rights, upto 200 nautical miles from their coastlines.
  - o This area extends unbroken from their landmass all the way till the sea bed.
  - o All of this oceanic area is considered part of a country's extended continental shelf.

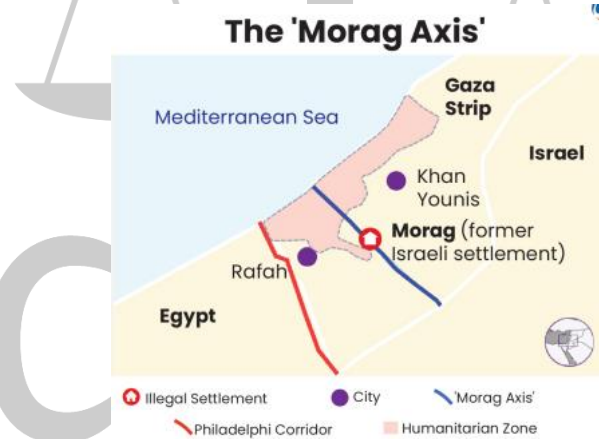
- India made its first claim in 2009 in vast stretches of sea to a UN body, called the Commission on the Limits of the Continental Shelf (CLCS).

## MORAG AXIS

Israel has completed the takeover of a new security corridor known as the Morag axis.

### **Morag axis**

- This area consists mainly of agricultural land located between Khan Younis and Rafah, stretching from east to west across the Gaza Strip.
- The name “Morag” refers to an Israeli settlement that was established in the region between 1972 and 2005.



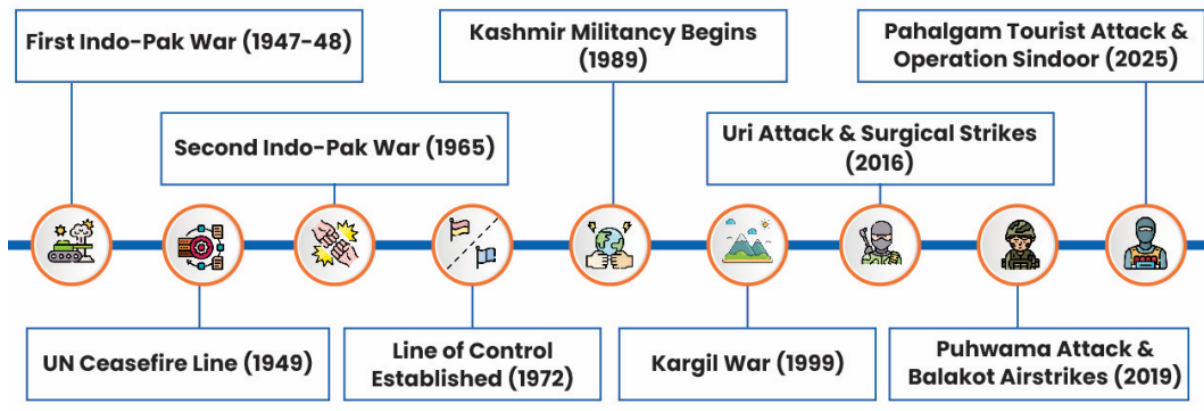
## TERRORISM IN JAMMU AND KASHMIR

The Resistance Front (TRF), an offshoot of the Pakistan-based terrorist organization Lashkar-e-Taiba (LeT), killed 26 tourists in Baisaran Valley in Pahalgam, Jammu and Kashmir.

- In Response, India took several measures: e.g. suspending Indus Waters Treaty, Closing the Integrated Check Post at Attari, Scrapping the SAARC Visa Exemption Scheme for Pakistani nationals, suspending visa services for Pakistani nationals etc.
- India also launched precise airstrikes at 9 locations inside Pakistan and Pakistan Occupied Jammu and Kashmir (POJK) under ‘Operation Sindoor’.

o These strikes have targeted strongholds of various terrorist organizations like LeT, Jaish-e-Mohammed (JeM) and other non-state actors which act as proxy of Pakistan to carry out terrorist activities in Jammu and Kashmir and other parts of India.

## Timeline of Kashmir Insurgency



### RAFALE MARINE (M) FIGHTER JETS

Centre approved 26 Rafale Marine (M) Fighter Jets From France.

- These fighter jets will be for the Indian Navy and will be deployed on the country's first indigenous aircraft carrier INS Vikrant.
- The Indian Air Force operates 36 Rafale jets, acquired earlier.

### About Rafael aircraft

- Manufacturer: Dassault Aviation, a French aerospace company.
- "Omnirole" capabilities: Which means able to carry out all combat aviation missions such as air defense, strikes, reconnaissance, nuclear deterrence, etc.
- Generation: 4.5 generation with maximum speed 1.8 Mach (1 Mach=1235km/hr).



## **ARYABHATA SATELLITE**

India's first satellite, Aryabhata, completed 50 years.

### **About Aryabhata Satellite**

- Orbit: Low Earth Orbit
- Built by ISRO to conduct experiments in X-ray astronomy, aeronomics, and solar physics.
- Named after the ancient Indian mathematician and astronomer.
- Launched in 1975, by Soviet Kosmos-3M rocket from Volgograd Launch Station (present Russia)
- Made India the 11th country in the world to send a satellite into orbit.

## **BANARSI SHEHNAI AND TABLA**

Geographical Indication (GI) certificates awarded to Banarasi Shehnai and Banarasi Tabla.

### **About Banarasi Shehnai**

- It is an Indian wind instrument similar to the oboe in tone and has seven holes on its staff in place of keys.
- Its music is associated with the temple music of the country
- It is considered auspicious to play the Shehnai on occasion of most Indian weddings.
- It gained global recognition through the legendary Ustad Bismillah Khan.

### **About Banarasi Tabla**

- Benares tabla gharana was developed a little over 200 years ago by the legendary Pandit RamSahai .
- Banaras Gharana is recognized as one of the six principal tabla gharanas in Indian classical music.





- Noted tabla player Padma Vibhushan Pandit Kishan Maharaj belonged to the Banaras gharana of Hindustani classical music.

## **KANNADIPPAYA TRIBAL CRAFT**

Kannadippaya has become the first tribal handicraft from Kerala to receive the Geographical Indication (GI) tag.

### **About Kannadippaya**

- It is a beautifully woven mat, also known as "mirror mat" due to its unique reflective pattern.
- Made from the soft inner layers of reed bamboo, the mat stands out for its unique properties — providing warmth during winter and cooling effect in summer.

## **HARVEST FESTIVALS**

Traditional harvest festivals are being celebrated in different parts of India.

- Marking the 1st day of the New Year, they are a way of thanksgiving for the abundant harvest at the coming of spring.

### **Traditional harvest festivals in India**

- Baisakhi (Punjab): Marks the beginning of harvesting of Rabi crops. Bhangra and Gidda dances are performed.
- Vishu (Kerala and Tamil Nadu): Marks the traditional spring equinox when day and night are equal.
- Poila Boishakh (West Bengal): Traders begin the new financial year by opening fresh account books, known as Haal Khaata.
- Others: Bohag Bihu or Rongali Bihu (Assam), Puthandu (Tamil Nadu), Makar Sakranti (Maharashtra, Karnataka, Andhra Pradesh, Telangana), Lohri (Punjab, Haryana, Himachal Pradesh, J&K), Pongal (Tamil Nadu)



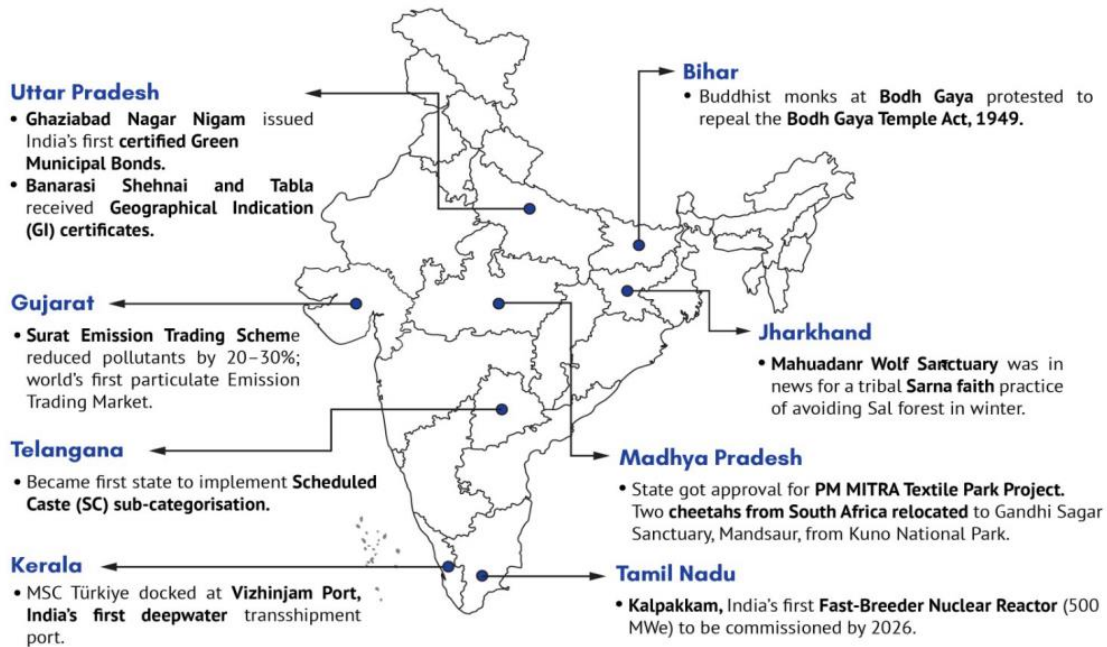
## PADMA AWARDS

President of India presented Padma awards 2025 at the civil investiture ceremony-I.

### **About Padma Awards**

- Among the highest civilian honours in India.
- Announced annually on the eve of Republic Day.
- Three categories:
  - o Padma Vibhushan: For exceptional and distinguished service
  - o Padma Bhushan: For distinguished service of a higher order
  - o Padma Shri: For distinguished service
- Recognizes achievements in all fields where an element of public service is involved.
- History and Suspension: Instituted in 1954; not awarded during 1978–79 and 1993–97.
- Selection Process:
  - o Recommendations made by the Padma Awards Committee, constituted by the Prime Minister every year.
  - o Public nominations allowed, including self-nominations.
- Not a title: Cannot be used as a prefix or suffix to the awardee's name.

## India



## Places in News: World

