

CURRENT AFFAIRS: NOVEMBER 2024

'SOCIALIST', 'SECULAR' IN THE PREAMBLE

Recently, Supreme Court (SC) in Dr Balram Singh Vs Union of India (2024) dismissed petitions challenging the inclusion of the words "socialist" and "secular" in the Preamble through 42nd Amendment Act, 1976.

- Petitions against the inclusion of these words were filed on the ground that they were inserted during times of Emergency (1975-1977) and do not represent the people's will.
- Petitions also held that since the date of adoption (26th November, 1949) by the Constituent Assembly, was mentioned in the Preamble, and no additional words could be inserted later to it.

Key Observations made by the SC

- **Dismissed retrospectivity**: The date of adoption does not curtail the amending power of the Parliament under Article 368 of the Constitution.
 - o Article 368 states that Parliament may in the exercise of its constituent power, amend by way of addition, variation or repeal any provision in accordance with the procedure laid down in this article.
 - o The Court held that this amending power extends to the Preamble and can be challenged on various grounds, including violation of the basic structure.
- Defined Socialism and Secularism: The court also defined the two terms as:
 - o Secularism represents one of the facets of the right to equality as neither the State maintains its own religion nor restricts the freedom of conscience and right to freely profess, practice and propagate religion to citizens.
 - > In Kesavananda Bharati v. State of Kerala and S R Bommai vs Union of India, SC observed that secularism is a basic feature of the Constitution.



- o Socialism denotes the State's commitment to the Welfare State, and its commitment to ensuring equality of opportunity.
- **Constitution is a living document**: Over time, India has developed its own interpretation of these terms imparting an organic character to the Constitution.

About 42nd Amendment Act, 1976

- About: It was referred to as the "mini-Constitution" as it amended the Preamble, 40 articles, 7th Schedule and added 14 New Articles and two new parts to the Constitution.
- · Major changes made were:
 - o Preamble: Inserted the words 'Socialist', 'Secular' and 'Integrity'.
 - > Changed the 'unity of nation' to 'unity and integrity of the nation'.
 - Changes in the 7th Schedule: The following categories were transferred from the State list to the Concurrent list:
 - > Education, forests, protection of wild animals and birds, weights and measures, administration of justice, constitution, and organisation of all courts-with the exception of the Supreme Court and the High Courts.
 - Emergency: Amended Article 352 to authorize the President to declare Emergency not only throughout the country and but also in any part.
 - Addition of New DPSPs:
 - > Article 39: To secure opportunities for healthy development of children.
 - > Article 39A-Equal justice and free legal aid.
 - > Article 43A-Participation of workers in management of industries.
 - > Article 48A-Protection and improvement of environment and safeguarding of forests and wildlife and
 - > Addition of new parts: Part IV-A (Fundamental duties), Part XIV-A (Establishment of administrative tribunals).

PROPERTY RIGHTS IN INDIA

A nine-judge Constitution Bench of the Supreme Court delivered a landmark ruling in Property Owners Association v State of Maharashtra, restricting the powers of the state to acquire private property.

- The recent judgment has overruled the earlier rulings in State of Karnataka v. Ranganatha Reddy (1978) and Sanjeev Coke Manufacturing Company vs. Bharat Coking Coal Ltd. and Anr. (1983).
 - o Both the cases had declared private properties could be considered community resources.
- This shift marks a significant development in the legal understanding of property rights in India.



Evolution of Right to Property

- Original Status: Initially, the right to property and compensation for acquisition were protected as Fundamental Rights under Articles 19(1)(f) and 31 of the Constitution.
- 25th Amendment (1971): Introduced Article 31C, which protected laws designed to fulfil the Directive Principles of State Policy (specifically Articles 39(b) and 39(c)) from being challenged for violating Fundamental Rights, including those under Articles 14 and 19.
- Revised Status of the Right to Property: The 44th Constitution Amendment in 1978 removed the right to
 property from the list of Fundamental Rights, making it a constitutional right under Article 300A.

Key highlights of the recent judgement (Property Owners Association v State of Maharashtra)

- Scope of Article 39(b):The Court emphasized that private property cannot automatically be classified as a "material resource of the community" under Article 39(b). It clarified that not all privately owned resources meet the conditions to be treated as such.
 - o Article 39B provides that ownership and control of the material resources of the community are so distributed as best to subserve the common good.
- Authority for Property Acquisition: Article 39(b) does not grant legislative power to the state to acquire private property.
 - o The Court clarified that it comes from the sovereign power of eminent domain and Entry 42 of List III in the Seventh Schedule.
- Criteria for Classification: The inclusion of private property as a "material resource" depends on its nature, scarcity, impact on community welfare, and concentration in private hands.
- Flexibility in Economic Policies: The court stressed that the framers of the Constitution intended for economic policies to be flexible, allowing governments to adapt to changing needs, rather than being tied to a fixed economic doctrine.
- Validity of Article 31C: The Court unanimously ruled that Article 31C, upheld in the Kesavananda Bharati case, is still valid.
- Balancing Public Welfare with Private Property Rights: The Court balanced public welfare with private property rights, ensuring government actions align with constitutional principles like equality (Article 14) and the right to property (Article 300A).



- o It also applied the Public Trust Doctrine, mandating responsible resource management for the public good.
- Limits of Eminent Domain: The Court questioned the broad application of the Doctrine of Eminent Domain in land acquisition. The court clarified that not all privately owned resources qualify as material resources of the community that can be appropriated for public good.

USA PRESIDENTIAL ELECTION

Recently, U.S. Presidential election was conducted through the Electoral College system.

US Presidential Elections vs. Indian Presidential Elections

Parameters	USA	India
Composition of electoral members	The Electoral College consists of 538 electors (Senate 100 plus 3 for District of Columbia and 435 members of the House of Representatives). The Electoral College is an intermediary body or process that chooses the U.S. President. In this system, voters of each State cast their ballots to choose members (or electors) of the electoral college who then vote to select the President. States have varying numbers of electors based on their representation in Congress. A majority of 270 electoral votes is required to elect the President of USA.	 Members of an Electoral College consisting of The elected members of both the Houses of Parliament, and The elected members of the Legislative Assemblies of the States [including National Capital Territory of Delhi and the Union Territory of Puducherry vide the Constitution (Seventieth Amendment) Act, 1992 (Article 54)]. Note: The nominated members of either House of Parliament or the Legislative Assemblies of State are not eligible to be included in the Electoral College.
Governing Act/Rules	Each state establishes its own election rules, reflecting the U.S.'s decentralized system, where individual states oversee and manage their electoral processes.	The Presidential and Vice-Presidential Elections Act, 1952.
Nomination Process	Candidates secure party nominations through primaries and caucuses.	A prospective Presidential candidate should get his/her nomination paper subscribed by at least fifty electors as proposers and at least fifty electors as seconders.
Election Methods	Most states follow a winner-take-all approach, where the candidate with the majority in a state wins all its electoral votes, except in Maine and Nebraska. Candidates can win the presidency without winning the popular vote. Like Donald Trump win in 2016.	System of Proportional Representation by means of single transferable vote and the voting at such election shall be by secret ballot. • The candidate needs to secure 50% of the total votes cast + 1 to win.



Vote-Counting	Significantly prolonged largely due to reliance on	Use of EVMs (Electronic Voting Machines).
Process	paper ballots and the handling of mail-in votes	
	(like our postal ballots).	
Frequency of	Every 4 years on a fixed schedule.	Every 5 years (except in exceptional cases).
election		
Running Mate	The Presidential candidate chooses a Running	Separate election takes place for Vice
	Mate (Vice Presidential Candidate).	President of India.

DIGITIZATION OF LAND RECORDS

Union Minister of Rural Development recently notified that nearly 95% of the land records have been digitized in Rural India since 2016.

- This achievement is due to the Digital India Land Records Modernization Programme (DILRMP).
- Additionally, Digitization of cadastral maps has reached 68.02% at the national level.
- Also, 87% of Sub-Registrar Offices (SROs) have been integrated with land records.

Land Reforms in India

Land reforms were emphasised in various Five-year Plans as well as by the J. C. Kumarappa Committee (1949).

Land Reforms encompass mainly five components:

- Abolition of intermediary tenures (Zamindari): The Zamindari Abolition Acts were enacted in various states during 1950s-1970s, which put an end to the big landlord-tenant relationships.
 - Under these reforms, the land was redistributed based on the idea of 'land to the tiller.'
- Tenancy reforms: Tenancy reform laws were enacted to bar illegal forceful eviction of tenants by landlords and ensure fair rent rates. However, due to presence of many legal loopholes, exploitation of tenants continued.
 - E.g. the "permanent tenancy" system, whereby a tenant could stay on the land for a long period but could not lay a claim on it.
- Ceiling of land holdings and distribution of surplus land: The Land Ceiling Acts enacted during the 1970s aimed
 at capping the landholding of an individual or family and redistributing the surplus land to the landless,
 promoting more efficient agricultural practices.
 - However, it saw limited success due to legal loopholes, resistance from landed elite, corruption, and lack of political will.
- Consolidation of holdings: It aimed at combining fragmented land into larger, more contiguous holdings to enable mechanization and more efficient farming practices.
 - However, resistance from small farmers unwilling to give up their lands led to limited success of the initiative.
- Compilation and updating of land records.



PRIOR SANCTION MANDATORY TO PROSECUTE PUBLIC SERVANTS

Supreme Court ruled that prior sanction is mandatory to prosecute public servants in money laundering cases.

• Thus, establishing a key procedural safeguard under the stringent Prevention of Money Laundering Act (PMLA) and adding a layer of accountability to PMLA prosecutions.

Key highlights of the Directorate of Enforcement vs. Bibhu Prasad Acharya Case

- Supremacy of CrPC: The court asserted that the PMLA doesn't supersede the requirement for prior sanction under Section 197 of CrPC.
 - o The provision corresponds to Section 218 of the Bhartiya Nagrik Suraksha Sanhita, 2023, which has replaced the CrPC with effect from July 1, 2024
- Section 197 of CrPC: To protect the public servants from prosecutions & from being prosecuted for anything they do in the discharge of their duties.
- Exception: Protection is not unqualified & public servants can be prosecuted with a previous sanction from the appropriate government.

Provision towards protection of Civil Servants

- Articles 311 (1) and 311 (2): They provide Constitutional protection to Civil Servants
- Public Servants (Inquiries) Act, 1850: Ensures inquiries are conducted fairly and transparently, upholding principles of natural justice within public administration.

ALIGARH MUSLIM UNIVERSITY'S (AMU) STATUS AS MINORITY INSTITUTION

Recently, Supreme Court (SC) overturned its decision which denied Aligarh Muslim University's (AMU) status as aminority institution.

• The Supreme Court (by 4:3 majority), overruled its S. Azeez Basha vs. UOI (1967) judgment which held that AMU cannot claim minority status under Article 30 (1) as it was established by a statute.



- SC in S. Azeez Basha vs. UOI had held thatAMU was neither established nor administered by Muslim minority, and it is a central university established through AMU Act, 1920.
- Later on, Parliament through AMU (Amendment) Act, 1981 restored AMU's minority status.
 - o However, Allahabad High Court struck down the minority status of AMU in 2006 which has been subsequently challenged in SC in 2019.
- SC has now referred 'issue of AMU's minority status under Article 30' to a regular bench based on principles established in this judgment.

Key Highlights of Judgment

- No need for minority control over administration to prove that it is a minority educational institution.
- Courts should trace Genesis and identify Brain behind the Institution to determine who established the institution
- Minority Status is not surrendered because an institution was created by a statute or upon incorporation of the University.
- Communities that weren't a minority before the Constitution are also entitled to Article 30 (1) protection for institutions established before independence.

THE GROUP OF TWENTY (G20) SUMMIT

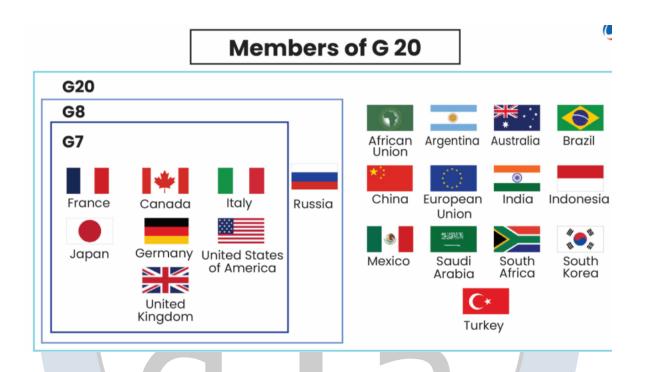
The 18th G20 Summit was held in Rio de Janeiro, Brazil, under the theme Building a Just World and a Sustainable Planet.

About G20 Rio de Janeiro

- The Rio summit marked the first time the African Union (AU) participated as a full member.
- Hosted by Brazil, the third Global South host after Indonesia (2022) and India (2023).



o The next G-20 is to be in South Africa. Brazil, India & South Africa together forms the troika of G20. These countries representing the Global South and are also part of IBSA and BRICS grouping.



FIRST TRILATERAL POWER TRANSACTION

Inauguration of first trilateral power transaction from Nepal to Bangladesh through the Indian Grid took place.

• The tripartite power sales agreement between NTPC Vidyut Vyapar Nigam, Nepal Electricity Authority(NEA) and Bangladesh Power Development Board was signed earlier.

About Agreement

- To facilitate power transaction from Nepal to Bangladesh, through Indian grid with an export of upto 40 MW of power.
- Commitment towards greater sub-regional cooperation, including in the energy sector, which would lead to increased inter-linkages between the economies for mutual benefit of all stakeholders.



DOMESTIC SYSTEMICALLY IMPORTANT BANKS (D-SIBS)

Reserve Bank of India (RBI) released 2024 list of Domestic Systemically Important Banks (D-SIBs)

• State Bank of India, HDFC Bank and ICICI Bankcontinue to be identified as D-SIBs in the RBI's 2024 list.

About D-SIBs

- D-SIBs are systemically important due to their size, cross-jurisdictional activities, complexity and lack of substitute and interconnection.
 - o It also means that the bank is too big to fail.
 - o If DSBs fail, there would be significant disruption to the essential services of the banking system and the overall economy.

CHENNAI-VLADIVOSTOK EASTERN MARITIME CORRIDOR OPERATIONAL

Also known as the Eastern Maritime Corridor (EMC), it is set to boost maritime ties between India and Russia.

About EMC

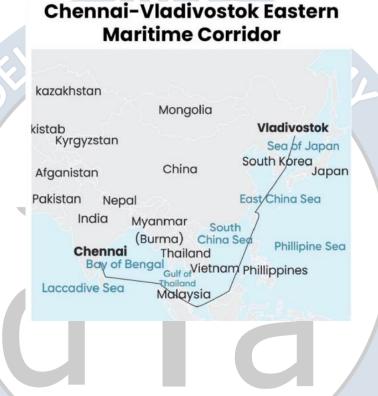
- Envisioned during the Eastern Economic Forum (2019) in Vladivostok, Russia.
- It seeks to develop a sea route between the Indian port of Chennai and Vladivostok through Northeast Asia.
- Covers a distance of around 10, 300 km.
- Passes through the Sea of Japan, the South China Sea, Malacca Strait, etc.

Significance of the Corridor

- Reduced Logistics cost: Due to reduction in transportation time (by around 16 days) and distance (by around 40%).
 - o Present trade route between Mumbai and St. Petersberg (Russia) via Suez Canal takes around 40 days and covers a distance of around 16, 066 Km.



- Boost India's maritime sector: The sector handles around 95% (by volume) and 70% (by value) of country's trade.
 - o Complement India's Maritime Vision, 2030that encompasses more than 150 initiatives from all areas of Maritime Sector.



AFSPA

Ministry of Home Affairs reimposed Armed Forces (Special Powers) Act (AFSPA) 1958 in order in "disturbed areas" of Manipur including Jiribam.

Key highlight of AFSPA

- **Disturbed areas**: A part or whole state/UT can be declared so by Governor of state, administrator of UT or by Centre if use of armed forces in aid of civil power is necessary to restore order.
- **Grants Special power to armed forces**: They can open fire against any person in contravention of law, arrest and search premises without warrant, etc.



- Immunity to Armed Forces personnel: Prohibits legal proceedings against them except with the previous sanction of the Central Government.
- **Treatment of arrested person**: Army authority is required to handover the arrested person to the officer-in-charge of the nearest police station with least possible delay.
- Applicability: Parts of Assam, Manipur, Nagaland, Arunachal Pradesh.
 - o Armed Forces (Jammu & Kashmir) Special Powers Act 1990 is applicable to disturbed areas of Jammu and Kashmir.
- Concern: Abuse of powers, Human rights violation including rapes and sexual assaults etc.

Other Related Information about AFSPA

- Supreme Court Judgements
 - Naga People's Movement for Human Rights Case (1997): Court held power to cause death is to be exercised under definite circumstances.
 - Extra Judicial Execution Victim Families Association case (2016): Court ruled that armed forces could not be immune from investigation for excesses committed during discharge of their duties even in disturbed areas
- Committees Recommendations
 - o Justice B.P. Jeevan Reddy Committee (2004) recommended scrapping AFSPA.
 - o Santosh Hegde Committee (2013) suggested review of the Act every six-month.
 - Justice Verma Committee (2013) called for subjecting sexual violence agains women by armed forces to regular criminal law.

EXERCISE ANTARIKSHA ABHYAS 2024

India's 1st Space Defense Exercise Antariksha Abhyas 2024 held in Delhi.

• Exercise (Conducted by defense space agency (DSA)) aims to help secure national strategic objectives in space and integrate India's space capability in military operations.

About Space Defense

• It accounts for prevention of potential threats to space assets (Kinetic, direct energy, jamming, cyber etc.) and existing countermeasures.



OPERATION SAGAR MANTHAN

The Narcotics Control Bureau (NCB) has seized 700 kg of Methamphetamine as part of Operation Sagar-Manthan.

• Methamphetamine is a powerful, highly addictive stimulant that affects the central nervous system.

About Operation Sagar Manthan

• Launched: by Narcotics Control Bureau (NCB) in coordination with the Indian Navy and Indian Coast Guard.

PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) ACT, 2012

Supreme Court (SC) held that Sexual assault under POCSO cannot be quashed on the basis of the compromise between parties.

- The judgement was delivered in n Ramji Lal Bairwa & Anr vs State of Rajasthan & Ors Case.
- SC held this while reviewing Rajasthan High Court's decision of quashing a 'sexual assault' case under the Act.
- Case has been heard under Special Leave Petition.
 - o Article 136 of the Constitution vests the SC with a special power to grant special leave to appeal against any judgment/order/decree in any matter or cause passed or made by any Court/tribunal.

Key Observations

- Rejection of Compromise Precedent: Court made reference of the State of M.P. v. Laxmi Narayan (2019) case which held that an offense against the society cannot be compromised.
 - o Also, endorsed the Delhi High Court judgment (Sunil Raikwar v. State) which held that a POCSO offense cannot be settled.



- Non Private nature of offense: Court observed that such crimes cannot be treated as private matters eligible for compromise-based quashing.
 - o Also, held that cases which have serious societal implications should not be dismissed solely based on a settlement.



10 YEARS OF POLIO ERADICATION IN INDIA

In 2014, the World Health Organization declared India polio-free based on criteria including three years of no wild poliovirus transmission, robust surveillance systems, and the destruction of any remaining stocks of the virus.

• It involved culmination of decades of dedicated efforts, starting with India's participation in the Global Polio Eradication Initiative and national immunization efforts under Universal Immunization Programme (UIP).

ONE DAY ONE GENOME

The Department of Biotechnology (DBT) and Biotechnology Research and Innovation Council (BRIC) launched the 'One Day One Genome' initiative on 1st foundation day of BRIC.



About Biotechnology Research and Innovation Council (BRIC)

- It is an apex autonomous society, established by the Department of Biotechnology (DBT), Ministry of Science and Technology, by subsuming 14 Autonomous Institutions (Ais).
- BRIC aims to establish a centralized and unified governance mechanism for its research institutions through intra-mural core grants.

About Microbial genomics

- It is the scientific field that studies the complete genetic material of microorganisms to understand their structure, function, evolution, and interactions with other organisms.
- Microbes, also known as microorganisms, are microscopic living organisms that are too small to see with the naked eye. E.g., bacteria, archaea, algae, protozoa, and microscopic animals such as the dust mite.

SATYENDRA NATH BOSE (S. N. BOSE)

The Centenary celebrations of iconic 'Bose-Einstein' (B-E) Statistics was recently inaugurated by Ministry of Science and Technology.

- S. N. Bose National Centre for Basic Sciences (under Department of Science and Technology) is celebrating the centenary of Bose's colossal work in theoretical physics to honour the great scientist.
- In 1924, Satyendra Nath Bose proposed a new approach to understand the behaviour of particles or photons, based on quantum theory.
 - o His collaboration with the Albert Einstein eventually led to postulation of B-E statistics.

ANALOG SPACE MISSION

ISRO has launched India's first analog space mission in Leh (Ladakh) to plan lunar mission experiments.



• It has been developed by joint collaboration of ISRO's Human Spaceflight Center, AAKA space studio, university of Ladakh and IIT Bombay.

About Analog Space Mission:

- Analog space missions are field tests done in locations that have physical similarities to that of the extreme space environments.
- It may include testing of new technologies, robotic equipment, vehicles, study of behavioral effects (isolation and confinement).
- Reasons for choosing Leh (Ladakh)
 - o geographical features dry and cold climate, barren land, high-altitude terrain and extreme isolation closely resemble Martian and lunar landscapes.
- Other analog missions: NEEMO (NASA), SIRIUS Program (UAE)

GSAT-N2

Recently SpaceX's Falcon-9 deployed India's GSAT-N2 satellite into orbit.

About GSAT-N2 (Geostationary Satellite-20)

- It is a communication satellite of NewSpace India Limited (NSIL).
 - o NSIL is commercial arm of the Indian Space Research Organisation (ISRO).
- Features: Geosynchronous transfer orbit; Life span 14 years; Mass around 4,700 kg.
- Significance: It will enhance broadband services and in-flight connectivity across the Indian region. It offers pan India coverage, including Andaman and Nicobar and Lakshadweep islands.

LIGNOSAT

The world's first wooden satellite, developed by Japan, has been launched.

• The satellite will study how wood withstands space's extreme conditions.



About LignoSat

- It is a small, palm-sized satellite made from honoki wood, a type of magnolia tree native to Japan.
- It also incorporates traditional aluminium structures and electronic components.
- Significance:
 - o Wooden satellite is part of a plan to use renewable materials for space structures.
 - o Wood can better withstand space conditions than metal, as there's no water or oxygen to cause decay.
 - o When decommissioned, wooden satellites burn up without releasing harmful pollutants, unlike metal ones.

OPERATION DRONAGIRI

Ministry of Science and Technology launched Operation Dronagiri and Integrated Geospatial Data Sharing Interface (GDI)

- These initiatives have been launched in efforts to liberalise geospatial data, and developing geospatial infrastructure, geospatial skill and knowledge.
- Geospatial data is information that describes objects, events or other features with a location on or near the Earth's surface.
 - o Examples: Satellite imagery, census data, social media data etc.
 - o Geospatial data is widely accepted as a critical national infrastructure and information resource.

About Operation Dronagiri

- It is a pilot project under National Geospatial Policy 2022, and will be implemented by Geospatial Innovation Cell, Department of Science and Technology.
- Purpose: To demonstrate the potential applications of geospatial technologies and innovations in improving the quality of life of citizens and ease of doing business.



• First Phase Implementation: In the states of UP, Haryana, Assam, Andhra Pradesh & Maharashtra.

DIRECT-TO-DEVICE(D2D) SATELLITE CONNECTIVITY

BSNL launched India's first Direct-to-Device(D2D) Satellite connectivity

- It marks a major event in extending satellite communications to everyday consumers which were earlier limited to emergency and military use.
- Global initiatives such as AST SpaceMobile, Lynk Global, Constellation Global, SpaceX-Starlink are also uses D2D technology.

Working of Direct-to-Device Satellite Technology

- Principle: Satellites act as cell towers in space, bypassing the need for terrestrial cell towers as used in traditional mobile connectivity.
 - o It uses satellites in orbit to transmit signals directly to devices on the ground.

BIRSA MUNDA

Janjatiya Gaurav Divas was celebrated pan-India, marking the 150th birth anniversary of Bhagwan Birsa Munda.

- Indian government declared 15th November as Janjatiya Gaurav Divas during the Azadi Ka Amrit Mahotsav in 2021.
- It marks the birth anniversary of Bhagwan Birsa Munda and honors the contributions of tribal communities, especially in India's freedom struggle.

SOHRAI PAINTING

Prime Minister Narendra Modi gifted Sohrai Painting to Russia's President Vladimir Putin during BRICS summit in Kazan, Russia.

About Sohrai painting



- Practiced mainly in mural art form in Hazaribagh district, Jharkhand.
- During Sohrai, a local festival, local tribal women make these paintings on walls of their mud houses.
- Sohrai-Khovar Paintings have also been awarded GI tag.

