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Current affairs summary for prelims

21 February, 2024

# Money Bills and Constitutional Challenge

***Context:*** *Amidst recent cases like striking down the electoral bond scheme and upholding the Aadhaar Act, the Supreme Court is asked to clarify what defines a money Bill.*

➢ **Background:**
- The Supreme Court is considering a key legal question regarding what constitutes a money Bill.
- This issue has come to light due to recent cases such as the electoral bond scheme and the Aadhaar Act.

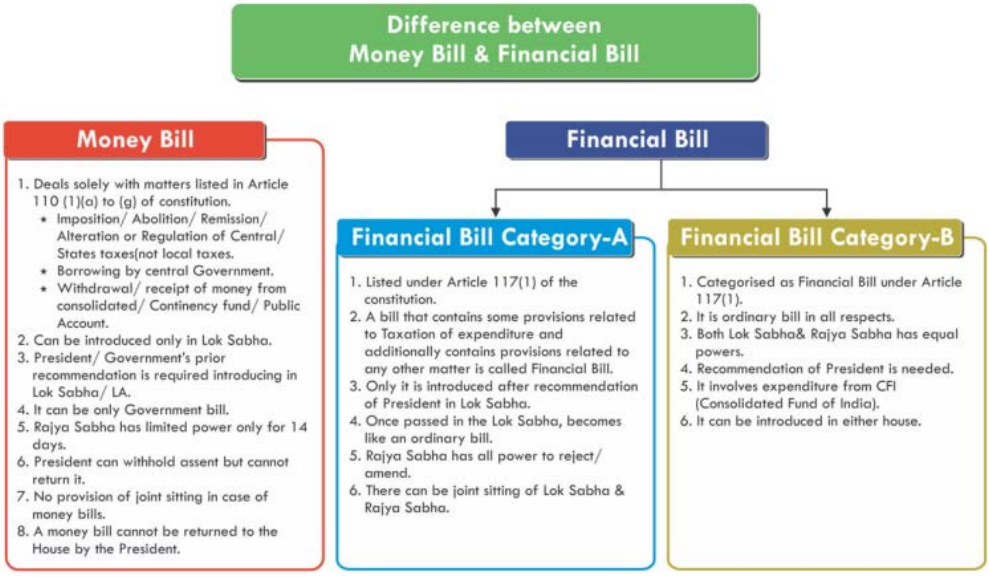
➢ **Definition of a Money Bill:**
- Money Bills provide a streamlined process for enacting laws by Parliament.
- Article 109 of the Constitution outlines that a Bill designated as a money Bill requires assent only from the Lok Sabha.
- Criteria for categorizing a Bill as a money Bill include its exclusive focus on certain subjects like taxation, financial obligations, or matters incidental to these subjects, as per Article 110.
- The final decision on whether a Bill qualifies as a money Bill rests with the Speaker of the Lok Sabha.

➢ **Significance of the Issue:**
- Recent enactments of 'Finance Acts' through the money Bill route, incorporating amendments to significant laws, have raised concerns.
- Challenges to such enactments have led to questions about the validity of passing certain Bills as money Bills.

➢ **Previous Supreme Court Rulings:**
- In 2018, the Supreme Court upheld the Aadhaar Act as constitutional, despite challenges regarding its passage as a money Bill.
- However, dissenting opinions highlighted concerns about the misuse of the money Bill route and its implications for legislative processes.
- Another challenge related to the Finance Act, 2017, was referred to a larger bench for consideration of its validity as a money Bill.

➢ **Current Status:**
- Challenges to amendments passed through the money Bill route remain unresolved pending the decision of the larger bench.
- Recent rulings, such as the striking down of amendments facilitating the electoral bond scheme, underscore the ongoing significance of the money Bill issue.

➢ **Potential Impact:**
- The decision of the seven-judge bench on the definition of a money Bill could have implications for future challenges against legislation passed through this route, including laws like the Aadhaar Act and the Prevention of Money Laundering Act.
- Depending on the bench's ruling, renewed challenges against existing laws passed as money Bills may emerge.




# Broad and all-encompassing definition of Forests

***Context:*** *The Supreme Court has urged governments to use the broad definition of forests from its 1996 T N Godavarman case until a complete record of all forest types is compiled.*

➢ **Background:**
- A three-judge Bench led by Chief Justice of India (CJI) D Y Chandrachud passed the order on Monday (February 19).

The order pertains to petitions challenging the 2023 amendments to the Forest (Conservation) Act, 1980 (FCA).

➢ **Purpose of 2023 Amendments:**
- The amendments aimed to address perceived dilution of the FCA due to a Supreme Court judgment.
- According to the government, the SC judgment had expanded the applicability of the FCA, hindering development activities.

- **Supreme Court's Definition of Forest:**
  - The SC ruled that the FCA would apply to land parcels recorded as 'forest' or resembling the dictionary meaning of forest.
  - This definition was reiterated by a CJI-led three-judge Bench, aligning with Parliament's intent behind enacting the FCA in 1980.

**T. N. Godavarman Case**
**Definition of 'Forest'**

- In 1996, the Supreme Court interpreted the word *forest* by its dictionary meaning.
- It applied this broader definition while interpreting the Forest Conservation Act (FCA) of 1980. Section 2 of FCA specifies that no state government or other authority may allow the use of any forest land for any non-forestry purpose without prior approval from the central government.
- Till 1996, the FCA was assumed to apply only to *reserve forests*. The Supreme Court said the act applied to all forests regardless of their legal status or ownership.

- **Extent of FCA's Applicability:**
  - Despite the 2023 amendments, the FCA's ambit extends beyond "reserved forest" to include any forest land.
  - This was reaffirmed by the SC in a 2022 case, clarifying that forest land as understood in the dictionary sense is covered by the FCA.
- **Omission of Pro-Conservation Measure**: A pro-conservation provision proposed by the Ministry in 2021 was not included in the 2023 amendments.
- **Arguments Against the Amendments:**
  - Challenges to the 2023 amendments were filed by retired Indian Forest Service officers and NGOs.
  - Concerns included potential exclusion of forests outside Recorded Forest Areas from the FCA's purview.
- **Current Status and Future Steps:**
  - States and Union Territories must submit comprehensive forest records by March 31.
  - The Ministry is required to publish this data by April 15.
  - The matter will be heard for final disposal in July.
- **Reaffirmation of Previous SC Definition:**
  - The SC explicitly asked to follow its 1996 definition of forests until the consolidated forest records are finalized.
  - Expert committees are instructed to consider the progress made by previous panels while compiling forest records.

# Article 142

***Context:*** *The Supreme Court utilized its broad powers under Article 142 of the Constitution to annul the results of the Chandigarh Municipal Corporation Mayor elections held on January 30.*

- **Article 142 of the Constitution:**
  - Article 142 grants the Supreme Court the authority to deliver "complete justice" between parties, even in situations where the law may not provide a specific remedy.
  - Article 142 grants the Supreme Court the authority to exercise its jurisdiction and issue orders for achieving complete justice in any pending case.
  - It empowers the apex court with special and extraordinary abilities to rectify any legal injustice or wrongdoing suffered by litigants during legal proceedings.
  - Article 142(1) specifies that the Supreme Court can issue decrees or orders necessary to ensure complete justice in any pending matter before it. These decrees or orders are enforceable across India as prescribed by Parliament or the President until parliamentary legislation is enacted.
- **Exercise of Court's Powers:**
  - The scope and extent of the Supreme Court's powers under Article 142 have been defined through various judgments.
  - In the Prem Chand Garg case, the court outlined that orders under Article 142 must align with fundamental rights and statutory laws.
  - The Bhopal gas tragedy case demonstrated the wide scope of Article 142, where the court ordered compensation for victims despite statutory limitations.
  - The court clarified that Article 142 powers are distinct from ordinary laws and can't be restricted by them.
- **Criticism and Counterarguments:**
  - Critics argue that Article 142 powers are arbitrary and ambiguous, lacking a standard definition for "complete justice".
  - However, the court has addressed this criticism by emphasizing that these powers are supplementary and can't override substantive laws.
  - It ensures that no injustice is caused to parties not involved in the case, maintaining fairness and legality.
  - While critics raise concerns about judicial overreach, the Drafting Committee reserved Article 142 for exceptional circumstances, ensuring its limited use.

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# NEWS IN BETWEEN THE LINES

## UNICEF

*Recently, s study led by the UN children's agency (UNICEF) found that one in six children in the isolated and devastated north of the Gaza territory are acutely malnourished.*

**About UNICEF:**

- The United Nations Children's Fund (UNICEF), **initially known as the International Children's Emergency Fund (ICEF),** is an **agency of the United Nations** that provides humanitarian and developmental aid to children worldwide.
- It was established on December 11, **1946**, by the United Nations General Assembly and **Ludwik Rajchman**.
- Its mission is to ensure special **protection for the most disadvantaged children** including **victims of war**, **disasters**, **extreme poverty**, all forms of violence and exploitation, and those with disabilities.
- It became a permanent part of the United Nations in **1953**.
- It began its work in India in **1949** and currently operates in 16 states.
- UNICEF's subsidiaries include **UNICEF Australia** and **UNICEF Ireland**.
- Its headquarter is in **New York, USA**.

## Oil and Natural Gas Corporation

*Recently, with the encouraging strike for oil in the first well on Bombay High, the Oil and Natural Gas Corporation (ONGC) is expected to go ahead drilling more wells in this promising structure, 160 km off Bombay.*

**About the Oil and Natural Gas Corporation:**

- The Oil and Natural Gas Corporation (ONGC) is a public sector undertaking that is wholly **owned by the Indian government**.
- It is the **largest crude oil** and natural gas Company in India, **contributing around 71 per cent to Indian domestic production**.
- It was conferred with **'Maharatna' status** by the Government of India in November **2010**.
- It ranked **158th globally and 4th in India in the 2023 Fortune Global 500 List**.
- It supplies crude oil to downstream companies such as **IOC, BPCL, HPCL and MRPL** (which are subsidiaries of ONGC) for the production of various petroleum products including **Petrol, Diesel, Kerosene, Naphtha and Cooking Gas LPG**.
- The company's operations are managed by the **Ministry of Petroleum and Natural Gas**.
- It was established in **1956** and is involved in a variety of business ventures, including exploration, production, refining, and distribution of petroleum products.
- Its headquarter is located in New Delhi.
- The foundation stone for ONGC was laid in **1955** as the Oil and Gas Division under the Geological Survey of India.

## International Mother Language Day

**About the International Mother Language Day**

- International Mother Language Day is celebrated on **February 21st every year** to promote linguistic and cultural diversity and multilingualism.
- The United Nations Educational, Scientific and Cultural Organization (**UNESCO**) first announced the day in **1999**, and the world has been celebrating it since **2000**.
- The theme for 2024's International Mother Day Language is **Multilingual education – a pillar of learning and intergenerational learning.**
- The day commemorates **Bangladesh's struggle** to preserve its mother language, Bangla and honors the **contributions of Rafiqul Islam, a Bangladeshi in Canada**, who proposed the resolution.
- The International Year of **Indigenous Languages (2019)** and the **Yuelu Proclamation (2018)** guide global efforts to protect linguistic diversity.

## The Relics of Lord Buddha

*Recently, India announced that it will hold an exposition of some of the relics of Lord Buddha, kept in New Delhi's National Museum, in Thailand from February 22 to March 18.*

**About the Buddha's Relics:**

- Relics are sacred objects associated with holy individuals, which may include **literal body parts** (teeth, hair, bones, etc.) or objects used or touched by the holy person.
- After Buddha's death at the age of 80 in Uttar Pradesh's **Kushinagar** district, his relics were collected and **divided into eight shares** among various communities.
- Relics were distributed among the Ajathsatrus of **Magadha**, the Licchavis of **Vaishali**, the Sakyas of **Kapilavastu**, Mallas of **Kushinagar**, Bullies of **Allakappa**, Mallas of **Pava**, Koliyas of **Ramagrama** and a Brahmana of **Vethadipa**.
- India possesses **20 bone fragments of Lord Buddha,** preserved at the National Museum in New Delhi.
- The Union Culture Ministry official confirmed the initiative, stating that the relics are being sent on the request of the Thai government.
- Along with the relics of Lord Buddha, relics of **two of his disciples preserved in Madhya Pradesh's Sanchi are also included in the exhibition.**
- The Buddha relics were excavated from **Piprahwa** in Uttar Pradesh.

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## Chevalier de la Legion d' Honneur Award

*Recently, a prominent leader Shashi Tharoor was conferred the 'Chevalier de la Legion d'Honneur' (France's highest civilian honour) announced by the French government in August 2022.*

**About Chevalier de la Legion d' Honneur:**

- The National Order of the Legion of Honour, established in **1802** by **Napoleon Bonaparte**, is the highest French order of merit, recognizing both military and civil achievements.
- The badge of the Legion features the inscription "**Republique Française"** (Republic of France) on the front and crossed tricolours along with the motto **"Honneur et Patrie"** (Honor and Country) on the back.
- The Legion of Honour is divided into five degrees of increasing distinction: **Chevalier** (Knight), **Officier** (Officer), **Commandeur** (Commander), **Grand officier** (Grand Officer) and **Grand-croix** (Grand Cross).
- **Maharaja Pratap Singh** of Udar was the first Indian to receive the Legion of Honour in **1918**.
- Over 40 Indians have been awarded this honour, including prominent figures such as **JRD Tata** (1983), **Satyajit Ray** (1987), **E Sreedharan** (2005), **Amitabh Bachchan** (2007), **Lata Mangeshkar** (2007), **Shah Rukh Khan** (2014), **Kamal Haasan** (2016), **Ratan Tata** (2016), and **Azim Premji** (2018).

## Place in News

## Greece

*Today, the Prime Minister of India will hold bilateral talks with his Greece counterpart Kyriakos Mitsotakis in New Delhi.*

**Greece (Capital: Athens)**

**Location:** Greece, officially known as the Hellenic Republic is a country in Southeast Europe, located on the southern tip of the Balkan peninsula.

**Boundaries:** Greece shares its border with **Turkey** and the **Aegean Sea** (East), **Ionian Sea** (West), **North Macedonia** and **Bulgaria** (North), **Albania** (Northwest) and **The Cretan and Libyan seas** (South).

**Physical Features:**

- **Mount Olympus** is the highest peak in Greece.
- The **Aliakmonas River,** also known as the **Haliacmon** is Greece's longest river.
- Greece is known for its rich mineral resources, including **bauxite, lignite, magnesite, marble, nickel, limestone, lead, zinc** and **gypsum**.

## POINTS TO PONDER

- What is the objective of the European Union's newly initiated 'Mission Aspides' in the Red Sea**? – To safeguard commercial vessels from attacks by Iran-backed Houthi rebels**
- Which state recently received ₹740 crore under the Pradhan Mantri Uchchatar Shiksha Abhiyan (PM-USHA) Scheme? **– Uttar Pradesh**
- Where was the 3rd meeting of the ASEAN-India Trade in Goods Agreement (AITIGA) held? **– India**
- What is the recent discovery known as Quasar? **– Active Galactic Nucleus**
- Which state launched the Mukhya Mantri Harit Vikas Chhattravriti Yojana recently? **– Himachal Pradesh**