

NATIONAL YOUTH DAY

Prime Minister of India will inaugurate the 26th National Youth Festival in Hubballi, Karnataka on 12 January 2023.



Why in news?

- The National Youth Festival is being held on National Youth Day, which is celebrated on the birth anniversary of Swami Vivekananda, to honour and cherish his ideals, teachings, and contributions.
- Since 1985, the Indian Government is celebrating the birthday of Swami Vivekananda as National Youth Day.

Key facts about National Youth Festival 2023

- **Theme** of the festival 2023: **Viksit Yuva Viksit Bharat**.
- Adventure sports activities like scuba diving are included. Exhibitions of traditional sports like **Kalaripayatu** (Kerala), **Silambam** (Tamil Nadu), **Gatka** (Punjab), and **Mallakhamb** (Maharashtra) are being organized.
- Competitive cultural events like folk dance and folk song are organized where troupes from different states participate.
- Interesting non-competitive events include the social development fair 'Yuva Kriti'. 'Adventure Festival', 'Suvichar', 'Young artists camp' among others.
- Many events in the festival will be live-streamed across the nation so that crores of young people can also be engaged with the entire festival.
- This year the festival is being celebrated as **Green Youth Festival** where only reusable cutlery, napkins etc are being used.

Kuno Palpur National Park

Recently, the Madhya Pradesh CM said that more cheetahs would be introduced to the Kuno Palpur National Park soon.



Why in news?

- 8 cheetahs arrived from Namibia and were released into Kuno National Park on 17th September 2022 by the Prime Minister of India.

Key Facts about Kuno Palpur National Park:

- **Location:** Kuno National Park lies in Sheopur district of Madhya Pradesh in Central India near the Vindhyan Hills.
- With an area of 748 sq. km, the park is located within the larger Kuno Wildlife Division.
- Initially established as a wildlife sanctuary, it was only in 2018 that the government changed its status into a national park.
- Named after the **Kuno River (One of the main tributaries of the Chambal River)** that cuts across it, Kuno is primarily a grassland region.
- **Flora and Fauna:** The protected area of the forest is home to the jungle cat, Indian leopard, sloth bear, Indian wolf, striped hyena, golden jackal, Bengal fox and dhole, along with more than 120 bird species
- Kuno National Park was selected under 'Action Plan for Introduction of Cheetah in India'.

Project Cheetah:

- **World's first inter-continental large wild carnivore translocation project.**
- Project Cheetah was approved by the Supreme Court of India in January 2020 as a pilot programme to reintroduce the species to India.
- Close to 50 cheetahs will be introduced into the wild over the next five years.

US FAA SYSTEM OUTAGE

Why in news?

- Recently, thousands of flights, within, into or out of the United States were delayed or cancelled due to a technical glitch.
- The US Federal Aviation Administration (FAA) said that flights were grounded due to failure of a key pilot notification system called **Notice to Air Missions (NOTAM)**.

- FAA is the largest transportation agency of the US government that runs a centralised NOTAM system.

Notice to Air Missions (NOTAM)

- According to the FAA's website, "a NOTAM is a notice containing information essential to personnel concerned with flight operations but not known far enough in advance to be publicized by other means.
- NOTAMs basically provide information about potential hazards or changes to flight operations that may affect safety.
- Eg. - Without NOTAMs, aeroplanes are at a risk of running into flocks of birds or remaining unaware of slippery conditions on runways.
- NOTAM is different from air traffic control system that helps in keeping planes at safe distance from each other while on air.

What are the features of NOTAM?

- NOTAMs indicate the real-time and abnormal status of the National Airspace System (NAS) impacting every user.
- NOTAMs concern the establishment, condition, or change of any facility, service, procedure or hazard in the NAS.
- NOTAMs have a **unique language using special contractions** to make communication more efficient.

An example of a NOTAM

- The system relays information about changes in conditions such as weather, volcanic activity, airspace restrictions and other factors, as well as unusual events such as parachute jumps, rocket launches and military exercises.
- It also advises pilots of extraordinary situations at airports, including icing, malfunctioning lights and the presence of flocks of birds, reported Simple Flying.

When are NOTAMs used?

- NOTAMs are typically issued on a **short-term** basis, and they are meant to be used by pilots, air traffic controllers, and other aviation professionals to stay informed about changes to flight operations.
- They are also used by airport operators and other organizations that need to be aware of potential hazards or disruptions to flights in order to plan accordingly.
- Pilots are typically required to check NOTAMs before taking off in order to ensure that they are aware of any hazards or changes that could impact their flight.
- Overall, the NOTAM system is an important tool for ensuring the safety and efficiency of flight operations by providing pilots and other aviation professionals with critical information about potential hazards and changes to flight operations.

WHAT IS A CURATIVE PETITION?

Recently, Supreme Court told the Central Government that it cannot decide its curative plea seeking an additional Rs 7,844 crore from the successor firms of Union Carbide Corporation (UCC) for giving compensation to the victims of the 1984 Bhopal gas tragedy as a lawsuit.



About:

- The concept of curative petition **originated from the case of Rupa Ashok Hurra Vs. Ashok Hurra and another case (2002)** where the following question arose before the court of law- 'whether an aggrieved person is entitled to any relief against the final judgment/order of the Supreme Court, after the dismissal of a review petition?'

What is a Curative Petition?

- A curative petition, is **the final and last option for the people to acquire justice** as mentioned and promised by the Constitution of India.
- A curative petition may be **filed after a review plea against the final conviction is dismissed.**

- **Objective:** It is meant to ensure there is no miscarriage of justice, and to prevent abuse of process.
- **Criteria for admission:**
 - The court ruled that a curative petition can be entertained if the petitioner establishes there was a **violation of the principles of natural justice**, and that he **was not heard by the court before passing an order**.
 - It will also be admitted where a **judge failed to disclose facts** that raise the apprehension of bias.
 - The SC has held that **curative petitions must be rare rather than regular**, and be entertained with circumspection.
 - A curative petition **must be accompanied by certification by a senior advocate**, pointing out substantial grounds for entertaining it.
- **Who hears Curative petitions?**
 - A curative petition must be **first circulated to a bench of the three senior-most judges, and the judges who passed the concerned judgment**, if available.
 - Only when a majority of the judges conclude that the matter needs hearing should it be listed — as far as possible, before the same Bench.
 - A curative petition is **usually decided by judges in chamber**, unless a specific request for an open-court hearing is allowed.
 - It shall be open to the Bench at any stage of consideration of the curative petition to ask a senior counsel to assist it as amicus curiae.
 - In the event of the Bench holding at any stage that the petition is without any merit and vexatious, it may impose exemplary costs on the petitioner

TAMIL NADU GOVERNOR VS STALIN GOVERNMENT: DOES THE GOVERNOR HAVE THE RIGHT TO DELETE PORTIONS OF HIS ADDRESS TO THE LEGISLATIVE ASSEMBLY?

Context

- The Tamil Nadu Assembly was rocked by unprecedented scenes when Governor R N Ravi skipped certain portions from the customary speech submitted to him by the state government for reading at the start of the Assembly session.
- The article highlights the debate about the rising mistrust between the governor's office and chief ministers of opposition-led governments and the role of the governor in parliamentary democracy.

Background

- The conflict arose when the **Governor made changes to the prepared speech** he read out in the Assembly.
- The skipped portions of the Governor's address were about BR Ambedkar, Dravidian leaders, the Dravidian model of governance and the law-and-order situation in Tamil Nadu.
- As a result, **TN CM moved a resolution** demanding only the original printed speech in Tamil be put in records.
- **Governor** reacted to this in an unprecedented manner by **staging a walkout** from the House in protest even before the national anthem was played.
- Earlier West Bengal (1965), Rajasthan (1967), Punjab (1969), Tripura (2017) and Kerala (2018) Rajasthan Governors refused to read the address sent by the Government.

Meaning and Provisions Related to the Governor's Address to the Legislature

- **Meaning:** The Governor's address contains a review of the government's activities and accomplishments in the previous year, its plans for the session, and policy and legislative proposals that the government plans to implement in the coming year.
 - It is **prepared and submitted by the state government** to the Governor beforehand.
- **Constitutional provisions:** The Governor is expected to address the **first Assembly session** of the state every year and the **first session of a new legislature** after the state assembly elections, under **Articles 175** and **176** of the Constitution.
 - **Article 175:** It empowers the Governor to address and send messages to the House or Houses and may for that purpose require the attendance of members.

- **Articles 176:** Governor has the right to address the first session of the House after the elections to the Legislative Assembly and at the commencement of the first session of each year.
- **Convention:** On the lines of a British convention since 1829, the governor must read the full speech as it is and **without any deviation**, because it is essentially the government's message, for which the governor's office bears no responsibility.

Expert's Views

- Leading British constitutional law expert **Ivor Jennings** notes that Sovereign (king) can suggest changes or revisions in the address, but the **last word** remains with the **Cabinet**.
- **A B Keith** in his work, Constitutional Law, too holds that the speech by the **monarch** has to **merely state** what the government wants to do in the new session of the House.
- Author **Sibranjan Chatterjee** in his book, "Governor's Role in the Indian Constitution", said that the Constituent Assembly intended that Governor's address be prepared by the Council of Ministers.
- If a Governor deletes any para of the address under the cloak of his discretionary power, his/her action may not be 'unlawful' from a rigid legalistic viewpoint but **would impact the norms of parliamentary system of government**.

DIGITAL INDIA LAND RECORDS MODERNISATION PROGRAMME (DILRMP)

Recently, the Union government has informed the Supreme Court that significant progress has been made in the computerisation of land ownership records, as cadastral maps of 35% of over six lakh villages have so far been geotagged.



Why in news?

As per the Management Information System of Digital India land Records Modernisation Programme (DILRMP), out of 6,56,793 villages, Cadastral Maps have been Geo-referenced in 2,31,026 villages (35. 17%) and 1,17,38,272 number of maps have been digitised.

What is Digital India Land Record Modernisation Programme (DILRMP)?

- It is a **Central Sector scheme** that has been extended to 2023-24, to complete its original targets as well as expand its ambit with a slew of new schemes.
- In 2008, two schemes viz, Computerisation of Land Records (CLR) and Strengthening of Revenue Administration and Updating of Land Records (SRA&ULR) were merged into a modified scheme named DILRMP.
- It is being implemented by the Department of Land Resources under **the Ministry of Rural Development**.
- **Aim:** It attempts to build upon the commonalities that exist in the arena of land records in various States to develop an appropriate Integrated Land Information Management System (ILIMS) across the country.
- The ILIMS integrates all the processes and lands records databases with the banks, financial institutions, circle rates, Registration Offices and other sectors.
- **Major components:** Computerization of land records, Survey/re-survey, Computerization of Registration.

'BASIC STRUCTURE' VERDICT SET BAD PRECEDENT: DHANKHAR

Why in News?

- Vice President of India, Shri Jagdeep Dhankhar, questioned the landmark Supreme Court judgment that evolved the doctrine of basic structure.
- He asked if the judiciary can put fetters on the Parliament's powers to amend the Constitution and frame laws in a democratic nation.

Kesavananda Bharati Case (1973):

- Kesavananda Bharati v. State of Kerala, also known as the Kesavananda Bharati judgement, was a landmark decision of the Supreme Court that outlined the basic structure doctrine of the Indian Constitution.
- The case is also known as the **Fundamental Rights Case**.

- A **13-Judge Bench** of the Supreme Court, with a 7-6 majority, upheld the validity of the **24th Constitutional Amendment Act (1971)** and stated that Parliament is empowered to abridge or take away any of the Fundamental Rights.
 - As per **24th Amendment Act** Constitutional Amendments were not considered laws under **Article 13**.
 - This amendment gave unlimited power to the Parliament to amend or repeal any part of the Constitution of India.
- However, the **Court laid down a new doctrine of the ‘basic structure’ (or ‘basic features’)** of the **Constitution**.

What is the Basic Structure Doctrine?

- In the **Kesavananda Bharati case**, the Court ruled that the constituent power of Parliament under **Article 368** does not enable it to alter the ‘basic structure’ of the Constitution.
- This means that the **Parliament cannot abridge or take away a Fundamental Right that forms a part of the ‘basic structure’ of the Constitution**.
- It gives extra power to court to review and strike down any constitutional amendments and act enacted by the Parliament.

Evolution of the Basic Structure Doctrine:

- The Parliament reacted to this judicially innovated doctrine of ‘basic structure’ by enacting the **42nd Amendment Act (1976)**.
- This Act amended Article 368 and declared that **there is no limitation on the constituent power of Parliament and no amendment can be questioned in any court on any ground including that of the contravention of any of the Fundamental Rights**.
- However, the Supreme Court in the **Minerva Mills case (1980)** invalidated this provision as it excluded judicial review which is a ‘basic feature’ of the Constitution.
- Again, in the **Waman Rao case (1981)**, the Supreme Court adhered to the doctrine of the ‘basic structure’ and further clarified that it would apply to constitutional amendments enacted after **April 24, 1973**.

- It is the date of the judgement in the Kesavananda Bharati case.

News Summary:

- Recently, Vice President of India, Shri Jagdeep Dhankhar, addressed the 83rd **All-India Presiding Officers Conference** in Jaipur, Rajasthan.
 - The All India Presiding Officers' Conference (AIPOC) is the apex body of the Legislatures in India.
 - The first Conference was held in Shimla in 1921.
 - On the occasion, he raised the issue of the powers of the judiciary vis-a-vis the legislature, highlighting the 2015 decision of the Supreme Court to strike down the **National Judicial Appointments Commission Act**.
 - He said that a judicial verdict cannot run down parliamentary will, adding “parliamentary sovereignty and autonomy cannot be permitted to be qualified or compromised as it is quintessential to the survival of democracy.”
-