

UNION PUBLIC SERVICE COMMISSION (UPSC)

- The UPSC is a constitutional body established under Articles 315 to 323 of the Indian Constitution.
- It was initially formed on **October 1, 1926**, and acquired constitutional status on **January 26, 1950**.
- **Article 315** provides for the establishment of a **Public Service Commission** for the Union and for each State.

Composition and Appointment

- The UPSC comprises a **Chairman and other members**, whose number is determined by the **President of India**.
- Members are **appointed by the President**, and at least **half of them must have held office under the Government** for at least **10 years**.
- The **Chairman and members hold office for a term of 6 years or until they attain the age of 65 years, whichever is earlier**.

Resignation and Removal Provisions

- A UPSC member or Chairman may **resign** by writing to the **President of India**.
- They may be **removed** by the President on **specific grounds mentioned in the Constitution**.
- In case of '**misbehavior**', the President must refer the matter to the **Supreme Court for inquiry**.
 - If the **Supreme Court upholds the charges**, the **President can remove the individual** based on its advice.

Post-Tenure Employment Restrictions

- The UPSC **Chairman is not eligible for any further employment** in the Government of India or any State.
- **Members (excluding Chairman)** may be appointed as:

- Chairman of the UPSC, or
- Chairman of a State Public Service Commission,
- But they are **not eligible for any other office of profit** under the Government.
- The Chairman or any member **cannot be reappointed** for a second term.

Duties and Powers of UPSC

- The UPSC is India's **central recruitment agency**, responsible for conducting:
 - Civil Services Examination (CSE),
 - Engineering Services Examination (ESE),
 - Combined Medical Services (CMS) and others.
- It **advises the President and Governors** on matters related to: **Appointments, transfers, disciplinary actions, and Framing recruitment rules and procedures.**

INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)



- The **International Atomic Energy Agency (IAEA)** is the **world's leading intergovernmental organisation for scientific and technical cooperation in the nuclear field.**
- It promotes the **safe, secure and peaceful use** of nuclear science and technology, especially in compliance with **global non-proliferation norms.**
- The **IAEA Statute** was approved on **23 October 1956** and came into force on **29 July 1957.**
- The **IAEA headquarters** is located in **Vienna, Austria.**
- The agency currently has **178 member states**, reflecting its wide international mandate and credibility.

IAEA's Legal Status and Global Role

- The **IAEA is an autonomous organization within the United Nations system.**

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- It reports to both the **United Nations General Assembly** and the **UN Security Council**.
- It is popularly referred to as the “**Atoms for Peace and Development**” organization within the UN framework.
- Its primary goal is to ensure that **nuclear energy is not diverted for production of weapons**.

Institutional Structure of the IAEA

- The **General Conference**, composed of all member States, meets annually to approve budgets and set general policy directions.
- The **Board of Governors**, comprising **35 members**, meets about five times a year to:
 - Approve **safeguards agreements**,
 - Carry out statutory functions, and
 - Appoint the **Director General**.
- The **Secretariat**, led by the **Director General**, handles the IAEA’s daily operations.

Key Functions of the IAEA

- The IAEA works to **ensure that nuclear technology is used solely for peaceful purposes**.
 - It applies **comprehensive nuclear safeguards**, including:
 - **Monitoring**,
 - **On-site inspections**,
 - **Information analysis** and
 - Other techniques to **verify peaceful use**
 - These safeguards serve as a **first line of defense** under the **Nuclear Non-Proliferation Treaty (NPT)**.
 - The IAEA helps **enhance capacity** at the **national, regional, and international levels** to respond to **nuclear or radiological emergencies**.
 - It facilitates **scientific cooperation** and **technical exchange** among its member states.
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NOTA (NONE OF THE ABOVE)



The Vidhi Centre for Legal Policy recently filed a PIL seeking mandatory inclusion of NOTA in all elections, including constituencies with only one candidate.

- **NOTA (None of the Above)** is a voting option that allows voters to **reject all contesting candidates** in an election while still maintaining the **secrecy** of their choice.
- It was introduced as a result of the **2013 Supreme Court judgment** in the **PUCJ vs Union of India** case, establishing it as a **symbol of voter discontent**.
- **First implemented** in the **2013 Assembly elections** in **Chhattisgarh, Mizoram, Rajasthan, Delhi and Madhya Pradesh**, and later in the **2014 General Elections**.

Current Legal Status and Function of NOTA

- Votes cast under **NOTA** are **counted**, but they are **treated as invalid votes**.
- Even if **NOTA** receives the **highest number of votes**, the candidate with the **second-highest valid votes is declared elected**.
- Thus, **NOTA does not impact the election outcome**, but serves as a **tool for democratic expression**.

Election Commission's Position on NOTA

- The **Election Commission of India** opposed **making NOTA mandatory** in all elections.
- It cited that **uncontested elections are infrequent**:
 - Only **6 such cases since 1971** in Lok Sabha elections.
 - Only **9 cases since 1952** where candidates were elected unopposed.
- The **EC** argued that making **NOTA compulsory** would **require legislative amendments** to the:
 - **Representation of the People Act, 1951**, and
 - **Conduct of Election Rules, 1961**.

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SUPREME COURT DECLARES RIGHT TO DIGITAL ACCESS AS A FUNDAMENTAL RIGHT UNDER ARTICLE 21

- On April 30, 2025, the Supreme Court of India made a landmark interpretation of Article 21 by affirming the **Right to Digital Access** as a component of the fundamental **Right to Life and Personal Liberty**.
- This decision came in response to growing concerns over digital exclusion faced by **persons with disabilities (PwDs)**, particularly in relation to the mandatory Know Your Customer (KYC) processes.

Legal Framework Supporting Digital Rights

- India's Constitution, through its Preamble, Fundamental Rights, and Directive Principles, emphasizes equality and dignity.
- Strengthening these guarantees, the **Rights of Persons with Disabilities (RPwD) Act, 2016**, adopts a 'social barrier' approach, viewing disability not only as impairment but also as exclusion due to societal and infrastructural challenges.
- Section 42 of the RPwD Act obligates the government to ensure **accessibility in all electronic media**, including through sign language, captions, and universal design principles.

The KYC Framework and Its Challenges

- Under the **Prevention of Money Laundering Act (PMLA), 2002**, KYC is compulsory for financial transactions.
- The RBI's **Master Direction on KYC (2016)** introduced digital verification methods like the **Video-based Customer Identification Process (V-CIP)**.
- This process requires users to:
 - Take selfies, Write and scan physical forms, Verify OTPs
 - Read codes on screen
- While convenient for most users, these steps **exclude visually impaired individuals and acid attack survivors**, who struggle to complete visual-based authentication.

Barriers Faced by Persons with Disabilities

- Despite accessibility standards in the **2021 and 2022 ICT Accessibility Guidelines**, most KYC systems are non-compliant:
 - No screen reader support
 - No audio cues for camera focus
 - No alternative for selfie-based verification
 - Thumb impressions often not accepted
 - Aadhaar-based biometric systems lack accessibility features
- Blind or low-vision users are frequently forced to appear physically or are rejected on vague technical grounds.
- Furthermore, RBI's directions disallow any "prompting" during video KYC, compounding the issue.

Supreme Court's Intervention and Verdict

- In its recent ruling, the Supreme Court emphasized that **accessibility is a constitutional imperative**.
- It directed the RBI, SEBI, and DoT to revise their KYC norms and digital infrastructures to align with **principles of accessibility and substantive equality**.
- The judgment also highlighted that the digital divide affects not only PwDs but also **rural populations, elderly citizens, economically weaker sections, and linguistic minorities**.

Broader Impact and Future Implications

- The verdict expands the scope of Article 21, setting a precedent that **digital access is not a privilege but a right**.
- This could influence a broad range of sectors, from e-governance and education to healthcare and banking, to **re-engineer digital platforms for universal accessibility**.
- The judgment also aligns India more closely with international obligations under the **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**.

PRESIDENT MURMU SEEKS ADVISORY OPINION FROM SC

President Droupadi Murmu has invoked the Supreme Court's advisory jurisdiction under Article 143(1) of the Constitution to seek its opinion on whether timelines can be mandated for the President and Governors to act on Bills passed by state legislatures.

This move came, following a Supreme Court ruling on April 8, where a two-judge Bench set a three-month deadline for the President to act on Bills reserved for her consideration.

Supreme Court's Advisory Jurisdiction

- The advisory jurisdiction is provided under **Article 143 of the Constitution**.
- It extends the Government of India Act, 1935 provision to include both questions of law and fact, including hypotheticals.
- The President may refer a question that "has arisen, or is likely to arise",
- It must be of public importance and require the Supreme Court's opinion.

Supreme Court's Discretion in Responding to Presidential References

- **Discretionary Nature of Article 143(1)**
 - Article 143(1) states the Supreme Court "may" report its opinion, indicating that the Court has the discretion to decline a reference.
 - The SC has declined at least two such references in the past.
- **Key Insight**
 - The advisory opinion under Article 143 is non-binding and not a substitute for judicial review.
 - The Court may refuse to answer if the issue is already in court, violates constitutional principles, or becomes irrelevant.

Limits of Presidential Reference: No Tool for Overturning SC Judgments

- **Presidential Reference Cannot Reverse Judicial Decisions**
 - In its 1991 Cauvery Water Disputes Tribunal opinion, the S. Court clarified that Article 143 is not meant for reviewing or overturning the Court's prior judgments.



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- Once the SC has given an authoritative ruling on a legal issue, it cannot be reconsidered via a presidential reference.
- **Advisory Jurisdiction Not an Appeal Mechanism**

- The Court stated that using Article 143 to revisit a settled decision would mean sitting in appeal over its own ruling, which is impermissible even in regular judicial processes.

- The President cannot confer appellate powers on the SC through a reference.

- **Available Legal Remedies for the Government**

- The government can still file a review petition against the April 8 ruling.
- If the review is dismissed, it may file a curative petition—a rare legal remedy to correct gross miscarriage of justice.

- **Possibility of Reconsideration by Larger Bench**

- Since the April 8 ruling was delivered by a two-judge Bench, and similar matters from states like Kerala and Punjab are pending, a larger Constitution Bench may eventually examine the issue, providing scope for a fresh judicial interpretation.

THE 14 QUESTIONS PRESIDENT MURMU HAS ASKED SC

- 1 What are the constitutional options before a Governor when a Bill is presented to him under Article 200 of the Constitution of India?
- 2 Is the Governor bound by the aid & advice tendered by the Council of Ministers while exercising all the options available with him when a Bill is presented before him under Article 200 of the Constitution of India?
- 3 Is the exercise of constitutional discretion by the Governor under Article 200 of the Constitution of India justiciable?
- 4 Is Article 361 of the Constitution of India an absolute bar to the judicial review in relation to the actions of a Governor under Article 200 of the Constitution of India?
- 5 In the absence of a constitutionally prescribed time limit, and the manner of exercise of powers by the Governor, can time-limits be imposed and the manner of exercise be prescribed through judicial orders for the exercise of all powers under Article 200 of the Constitution of India by the Governor?
- 6 Is the exercise of constitutional discretion by the President under Article 201 of the Constitution of India justiciable?
- 7 In the absence of a constitutionally prescribed timeline and the manner of exercise of powers by the President, can time-limits be imposed and the manner of exercise be prescribed through judicial orders for the exercise of discretion by the President under Article 201 of the Constitution of India?
- 8 In light of the constitutional scheme governing the powers of the President, is the President required to seek advice from the Supreme Court by way of a reference under Article 143 of the Constitution of India and take the opinion of the Supreme Court when the Governor reserves a Bill for the President's assent or otherwise?
- 9 Are the decisions of the Governor and the President under Article 200 and Article 201 of the Constitution of India, respectively, justiciable at a stage anterior into the law coming into force? Is it permissible for the Courts to undertake judicial adjudication over the contents of a Bill, in any manner, before it becomes law?
- 10 Can the exercise of constitutional powers and the orders of/ by the President/Governor be substituted in any manner under Article 142 of the Constitution of India?
- 11 Is a law made by the State legislature a law in force without the assent of the Governor granted under Article 200 of the Constitution of India?
- 12 In view of the proviso to Article 145(3) of the Constitution of India, is it not mandatory for any bench of this Hon'ble Court to first decide as to whether the question involved in the proceedings before it is of such a nature which involves substantial questions of law as to the interpretation of constitution and to refer it to a bench of minimum five judges?
- 13 Do the powers of the Supreme Court under Article 142 of the Constitution of India limited to matters of procedural law or Article 142 of the Constitution of India extends to issuing directions/passing orders which are contrary to or inconsistent with existing substantive/procedural provisions of the Constitution or law in force?
- 14 Does the Constitution bar any other jurisdiction of the Supreme Court to resolve disputes between the Union Government and the State Governments except by way of a suit under Article 131 of the Constitution of India?

Broader Context Behind the Presidential Reference

- **Centre vs Opposition-ruled States: The Governor's Role**
 - The dispute stems from ongoing power struggles between the Centre and Opposition-ruled states.
 - Governors, appointed by the Centre, have been accused of stalling state legislation by withholding or delaying assent to Bills passed by elected Assemblies.

WHAT IS JUTE CORPORATION OF INDIA (JCI)?



- It is a **central public sector undertaking** under the **Ministry of Textiles**, Government of India.
- It was **incorporated in 1971** as a **price support agency** with a clear mandate for the **procurement of raw jute/mesta** without any quantitative limit from the growers at the **Minimum Support Price (MSP)** declared in each year by the Government of India based on the recommendations made by the Commission for Agricultural Cost & Prices (CACP).
- This protects the jute growers from exploitations at the hands of the middlemen. JCI aims to **bring stability in the raw jute prices**.
- The JCI was first started as a small official agency at the beginning, but then slowly it expanded its networking and now **spread in 7 states successfully for jute growing** in India including **West Bengal, Bihar, Assam, Meghalaya, Tripura, Orissa, and Andhra Pradesh**.

Few activities of the JCI are as follows:

- Organizing leverage operations to **secure the Minimum Support Price (MSP) to the jute sector**
- **Obtain a stock of fiber** that also might include the imported fibers
- **Conducting commercialized operations** in a prudent way
- **Importing fiber** in order to supplement endemic accessibility
- **Exporting fiber**
- **Processing and exporting goods made of jute**
- Undertaking measures for the **promotion of jute goods** while exporting