



ACHIEVERS IAS ACADEMY

SUMMARY OF THE HINDU FOR BPSK EXAMINATION ENGLISH

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THE HINDU National

➔ SC upholds repeal of J&K's special status

A 5 Judge constitution bench of Supreme Court (SC) unanimously has upheld abrogation of article 370 as valid .

The major points of the Supreme Court's verdict are :

- J&K only a special case under India – Jammu and Kashmir have ‘ internal sovereignty ‘ different from other states and its status under article 370 was only a form of assymetric federalism .
- 370 temporary provision – From historical context , it is clear that article 370 is only a temporary provision .

President under 370 (3) , had power to unilaterally issue on ceasing of Article 370 . After the constitutituent assembly dissolved the power didnt cease

➔ About the case on legality of Article 370 abrogation :

Article 370 , used to give special status of Jammu and Kashmir , because of which it had its own constitution , its own flag , governement interference was very limited . In 2019 Article 370 was abrogatedand , under Jammu and Kashmir Reorganisation Act , Jammu and Kashmir was split in two Union Territory (UT) Jammu and Kashmir and Laddakh.

Petitioners were telling that Govt of India had no power to abrogated Article 370 and abrogation was constitutionally invalid .

Article 370 had provision that it can be abrogated by President of India but only after consultation of J&K constituent assembly .

J&K constituent assembly was dissolved in 1957 . Petitioners were making it one of their points , that article 370 is permanent as J&K assembly does not exist .

Other important points of Judgment

- The court found it unnecessary to examine bifurcation of J&K in two UTs . The court directed Election Commission of India to hold polls before 30 September ,2024 .
- SC held decision to carve out Laddakh from J& K valid .

PM Modi in his tweet on SC verdict wrote on X

“ It is a declaration of hope , progress and unity for our sisters and brothers of Jammu and Kashmir and Ladakh “ .

➔ Struggle will continue : J&K parties

Political parties in Jammu and Kashmir on Monday expressed disappointment over apex court's verdict upholding the center's decision .The National Conferences chief Omar Abdullah , PDP chief Mahbooba Mufti. Ghulam Nabi Azad were among the leaders to express their displeasure on the court's verdict

➔ BJP springs surprise , picks Mohan Yadav as new Madhya Pradesh CM

Springing a surprise BJP MLA from Ujjain (Dakshin) MLA Mohan Yadav has been Chisen as the next CM of Madhya Pradesh . Two deputy speakers has also been chosen.

Former Union Minister Devendra Singh Tomar has been chosen as the next assembly speaker

➔ **President's actions during state emergency open to scrutiny : SC**

The Supreme Court on Monday held that the declaration of state of emergency under article 356 and the subsequent actions of the president should have a “ reasonable nexus “ .

Means that President rule can not be imposed without a reason , there should be a reasonable base to impose it .

Regarding Jammu and Kashmir :

The crisis began in June 19 , 2018 when , after BJP withdrew support .

Governor the very next day took power to himself “ in the effect of failure of the constitutional machinery . The governor dissolved the legislative assembly barely one month later and president rule was imposed

➔ **SC verdict has ‘ no legal value ‘ , says Pakistan**

Pakistan caretaker foreign minister Jalin Abbas Jilani said “ International laws doesn't recognise India’s illegal action on August 5 , 2019 . The judicial endorsement by Indian Supreme Court has no legal value . Kashmiris has inalienable right to self determination in accordance with the relevant UNSC resolutions

➔ **Justice Kaul calls for impartial “ Truth and Reconciliation “ panel**

Justice Sanjay Krishna Kaul one of the five judges that pronounced decision on Article 370 , recommended setting up an “ Impartial truth and Reconciliation. Commission “ .

The commission would investigate the report of human right violation perpetrated by both states and non state actors

World

➔ Civilians caught in cross fire as battle rages in Gaza's cities

Israeli Military battled Palestinian militants in two of the Israel's largest cities, Khan Younis and the main city Gaza. Apart from the town of Jabaliya also saw heavy fighting between Israel Military and Hamas militant.

Hamas is believed to have suffered heavy losses, but on Monday it fired barrage of rockets on Tel Aviv.



➔ Palestinians go on strike over Gaza onslaught

Shops, schools, and Government offices shut across the West Bank and East Jerusalem as Palestinians staged protest against Israeli attack in Gaza.

Nationwide strike in solidarity with Gaza was also observed in Lebanon.

The stoppage was also observed in several parts of Turkey in support of Palestinians.

➔ Draft climate deal fails to 'phase out' fossil fuels

The Draft resolution document under CoP 28, Dubai, has added strong words against coal.

The term "rapidly phase out unabated coal" has been included. Earlier the phrase was 'phase out' of fossil fuels.

India, Indonesia, and China, which are major consumers of coal-powered and developing countries, can find it objectionable.

For India, a major chunk of power comes from coal.

Burning of fossil fuels contributes to nearly 80% of the greenhouse gas emissions, of which coal makes up about 40% and oil and gas collectively constitute the rest.

Countries are looking at ways to limit global temperature rise to 1.5 degrees Celsius.

Burning of fossil fuels

India, China

rapidly phase down coal, that countries such as India, China, and Indonesia are finding difficult.

Text / Context

➔ Can Bihar increase its reservation pool

On November 17 Bihar Governor approved two laws related to increasing the quantum of reservation in job and education in state to 75% , including 20% to scheduled caste , 2% for scheduled tribe , 18% for backward class , 25% for extremely backward class and 10% for economically weaker section (EWS) .

Supreme Court (SC) though in its previous judgment has emphasized for 50 % reservation ceiling .

SC judgements

- 1963 MR Balaji case – SC explained reservation as “ exception “ and “ special provision “ under constitutional scheme . Therefore they cannot be provided more than 50 % post .
- 1976- SC reemphasised reservation as facet of equality .Rather than an exception. But 50 % ceiling remained unaltered .
- 1990 Mandal Commission case – Nine Judge bench held 50 % case binding rule , however not without exception . A state can exceed the limit in special circumstances .
- 103rd Constitutional Amendment – 10% additional reservation under EWS (economic Weaker Section) that means that including EWS reservation the limit is 60% .

Other states that have already surpassed 50% quota limit are : Chhatisharh (72%) , TamilNadu (69%) , Arunachal Pradesh ,Meghalaya , Mizoram and Nagaland (80 %) each, Lakshdweep (100 %)

The two laws have again sparked debate