



# EXCEL CIVILS ACADEMY

## DAILY CURRENT AFFAIRS

Date: 09-07-2021

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### EXPLANATION

1. Ans) (c)

Explanation:

The West Bengal Assembly has passed a resolution to set up a Legislative Council with a two-thirds majority.

What are the Legislative Councils, and why are they important?

India has a bicameral system i.e., two Houses of Parliament. At the state level, the equivalent of the Lok Sabha is the Vidhan Sabha or Legislative Assembly; that of the Rajya Sabha is the Vidhan Parishad or Legislative Council.

How is a legislative council created?

Under Article 169 of the constitution, Parliament may by law create or abolish the second chamber in a state if the Legislative Assembly of that state passes a resolution to that effect by a special majority.

Strength of the house:

As per article 171 clause (1) of the Indian Constitution, the total number of members in the legislative council of a state shall not exceed one third of the total number of the members in the legislative Assembly of that state and the total number of members in the legislative council of a state shall in no case be less than 40.

How are members of the Council elected?

1/3rd of members are elected by members of the Assembly. 1/3rd by electorates consisting of members of municipalities, district boards and other local authorities in the state. 1/12th by an electorate consisting of teachers. 1/12th by registered graduates. The remaining members are nominated by the Governor from among those who have distinguished themselves in literature, science, art, the cooperative movement, and social service.

2. Ans) (c)

Explanation:

The Calcutta high court has imposed a penalty of ₹5 lakh on West Bengal chief minister Mamata Banerjee for seeking recusal of Justice Kaushik Chanda from her Nandigram election petition over the judge's alleged links with the Bharatiya Janata Party (BJP).

The court said the amount paid in penalties by the West Bengal CM will be used for the families of lawyers affected by Covid-19. The judge, however, decided to step away from the case on his own

personal discretion and released the case from his bench.

What is Judicial Disqualification or Recusal?

Judicial disqualification, referred to as recusal, is the act of abstaining from participation in an official action such as a legal proceeding due to a conflict of interest of the presiding court official or administrative officer.

Grounds for Recusal:

The judge is biased in favour of one party, or against another, or that a reasonable objective observer would think he might be.

- Interest in the subject matter, or relationship with someone who is interested in it.
- Background or experience, such as the judge's prior work as a lawyer.
- Personal knowledge about the parties or the facts of the case.
- Ex parte communications with lawyers or non-lawyers.
- Rulings, comments or conduct.

3. Ans) (b)

Explanation:

The Standing Committee on Information and Technology has conveyed its discontent to the Ministry of Information and Broadcasting on the "super censorship" clause introduced in the draft Cinematograph (Amendment) Bill 2021.

Cause of concern:

In the draft, there is a provision which allows the government to order recertification for a film already certified by the Central Board of Film Certification (CBFC). The government says the clause would only be invoked if the content of a film impinged on security and integrity of the nation.

Issues now are:

When there were existing penal provisions to deal with such a situation, did the Ministry felt it necessary to incorporate this in the Bill. Why should this power to adjudicate be vested with a bureaucrat?

Besides, a Supreme Court order passed in 2000 says that the government could not exercise revisional powers on films already certified by the CBFC.

Key Provisions in the draft bill:

Age-based certification:

It seeks to introduce age-based categorisation and classification. It proposes to divide the existing categories (U, U/A and A) into further age-based groups: U/A 7+, U/A 13+ and U/A 16+.

Provision against piracy: At present, there are no enabling provisions to check film piracy. Violation shall be punishable with imprisonment and fine.

Eternal certificate: It proposes to certify films for perpetuity.

Currently a certificate issued by the CBFC is valid only for 10 years.

4. Ans) (b)

Explanation:

The Union Minister of Ayush (IC) Shri Kiran Rijju virtually inaugurated five portals of importance and four publications, related to the Traditional Indian Medicine System of India. These are: Ayurveda Dataset on Clinical Trial Registry of India (CTRI), CCRAS-Research Management Information System (RMIS), E-Medha (electronic Medical Heritage Accession) Portal, AMAR (Ayush Manuscripts Advanced Repository) Portal, SHAI (Showcase of Ayurveda Historical Imprints).

5. Ans) (c)

Explanation:

The Khadi and Village Industries Commission (KVIC) under the Ministry of Micro, Small & Medium Enterprises has launched a unique project called 'BOLD'. BOLD stands for Bamboo Oasis on Lands in Drought.

6. Ans) (b)

Explanation:

ISRO has started work on a ground station to be established in Vietnam's payload data reception, processing and dissemination facility.

The art of using space to conduct foreign affairs and advance national interests is called Space Diplomacy. Space is the new place where global powers are exercising their hegemony.

7. Ans) (c)

Explanation:

Union Minister for Fisheries, Animal Husbandry and Dairying recently launched the Online Course Mobile App "Matsya Setu" for Fish Farmers.

About Matsya Setu App

Developed by: ICAR-Central Institute of Freshwater Aquaculture (ICAR-CIFA), Bhubaneswar, with the funding support of the National Fisheries Development Board (NFDB), Hyderabad.

Aim: To disseminate the latest freshwater aquaculture technologies to the aqua farmers that will enhance their productivity and in turn, their incomes. Species-wise/ subject-wise self-learning online course modules will be provided through the app e-Certificate will be issued upon completion of the course.

8. Ans) (a)

Explanation:

Increased inflows and stagnated backwaters caused a breach in the Godavari bund located upstream of

the Polavaram dam in Andhra Pradesh.

What is Polavaram Irrigation Project?

It is a multi-purpose irrigation project

Location: Andhra Pradesh on the river Godavari, near Polavaram village. Once completed, it will provide Irrigation benefits and will generate Hydro Electric Power and supply drinking water. It will facilitate an inter-basin transfer to the Krishna river basin through its Right canal. Indirect benefits include development of Pisciculture (breeding and rearing of fish), tourism and urbanisation. The Project has been accorded national project status by the union government in 2014 (under Section-90 of Andhra Pradesh Reorganization Act, 2014).

Where is Godavari River?

Source: Godavari river rises from Trimbakeshwar near Nasik in Maharashtra and drains into the Bay of Bengal. Drainage Basin: Maharashtra, Andhra Pradesh, Chhattisgarh and Odisha and smaller parts in Madhya Pradesh, Karnataka and Puducherry. Tributaries: Pravara, Purna, Manjra, Penganga, Wardha, Wainganga, Pranhita, Indravati, Maner and the Sabri.

9. Ans) (d)

Explanation:

The Delhi High Court has issued notice to the Union government on a fresh petition seeking legal recognition to all same-sex, queer or non-heterosexual marriages under the Foreign Marriage Act and the Special Marriage Act.

What's the issue?

A plea has been filed by a married same-sex couple, where one of them is an Overseas Citizen of India (OCI) card holder and his partner a U.S. citizen. The spouse is applying for OCI status but fears that his application for OCI status as well as the request for apostilization of the marriage certification – a requirement in the application process – will not be accepted.

What are the demands now?

The Citizenship Act, 1955, does not distinguish between heterosexual, same-sex or queer spouses. Therefore a person married to an Overseas Citizen of India, whose marriage is registered and subsisting for two years, should be declared eligible to apply as a spouse for an OCI card.

The petition has also prayed for a direction in the nature of prohibition to the Consulate General of India, New York, restraining it from declaring a spouse of an OCI applying for an OCI card to be ineligible for the same merely, on the ground that they are in a same-sex marriage or queer (non-heterosexual) marriage.

On the subject of the Foreign Marriage Act, the plea asks for a direction in the that to the extent the Foreign Marriage Act, 1969 excludes same-sex marriages or queer marriages, it be declared to be in violation of Articles 14, and 21 of the Constitution of India.

A similar prayer is made in respect of the Special Marriage Act, 1954, stating that “to the extent that the Act excludes same-sex marriages or queer marriages, it violates Articles 14, 15, 19 and 21 of the Constitution of India”.

Current scenario in India:

The acceptance of the institution of marriage between two individuals of the same gender is neither recognized nor accepted in any uncodified personal laws or any codified statutory laws”.

The centre had also said that contrary to the popular view that homosexuality was legalized by the Supreme Court in the case of Navtej Singh Johar v. Union of India, the court had “only made a limited declaration to decriminalize a particular human behavior, which was a penal offence under S.377 IPC.”

Observations in ‘Puttaswamy Judgment’(Privacy Case) and ‘Navtej Johar’ case(which struck down Sec 377 IPC) do not confer a fundamental right to seek recognition of same-sex marriages.

What is the Special Marriage Act of 1954?

The SMA is a law which allows solemnization of marriages without going through any religious customs or rituals. People from different castes or religions or states get married under SMA in which marriage is solemnized by way of registration. The prime purpose of the Act was to address Inter-religious marriages and to establish marriage as a secular institution bereft of all religious formalities, which required registration alone.

10. Ans) (c)

Explanation:

The ministry of environment (MoEFCC) and ministry of tribal affairs (MoTA) have jointly issued a circular to chief secretaries of all states, giving the responsibility of implementing the Forest Rights Act 2006 to state governments. The circular asks states to undertake a review of the implementation of the Act and intimate the Government of India about any clarifications that are needed to smoothen the process.

About the Forest Rights Act:

The Act passed in 2006 grants legal recognition to the rights of traditional forest dwelling communities.

Rights under the Act:

Title rights – i.e. ownership – to land that is being farmed by tribals or forest dwellers as on 13 December 2005, subject to a maximum of 4 hectares; ownership is only for land that is actually being cultivated by the concerned family as on that date, meaning that no new lands are granted. Use rights – to minor forest produce (also including ownership), to grazing areas, to pastoralist routes, etc. Relief and development rights – to rehabilitation in case of illegal eviction or forced displacement; and to basic amenities, subject to restrictions for forest protection. Forest management rights – to protect forests and wildlife.

Eligibility criteria:

According to Section 2(c) of Forest Rights Act (FRA), to qualify as Forest Dwelling Scheduled Tribe (FDST) and be eligible for recognition of rights under FRA, three conditions must be satisfied by the applicant/s, who could be “members or community”:

Must be a Scheduled Tribe in the area where the right is claimed; and Primarily resided in forest or forests land prior to 13-12-2005; and Depend on the forest or forests land for bonafide livelihood needs.

And to qualify as Other Traditional Forest Dweller (OTFD) and be eligible for recognition of rights under FRA, two conditions need to be fulfilled:

Primarily resided in forest or forests land for three generations (75 years) prior to 13-12-2005. Depend on the forest or forests land for bonafide livelihood needs.

Process of recognition of rights:

The gram sabha, or village assembly, will initially pass a resolution recommending whose rights to which resources should be recognised. This resolution is then screened and approved at the level of the sub-division (or taluka) and subsequently at the district level.