

## UPSC CURRENT AFFAIRS NOTES 01-04-2024

### Central Administrative Tribunal (CAT)

The Allahabad High Court recently held that an appeal against an order of the CAT while exercising its contempt jurisdiction under Section 17 of the Administrative Tribunals Act 1985 lies before the Supreme Court.



#### About Central Administrative Tribunal (CAT)

The CAT had been established under Article 323-A of the Constitution.

**Mandate:** To adjudicate disputes and complaints with respect to the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government.

In addition to the Ministries and Departments of Central Government, the Government has notified about 214 organizations under Section 14(2) of the Administrative Tribunals Act, 1985, to bring them within the jurisdiction of the CAT from time to time.

**There are 17 Benches and 21 Circuit Benches in the CAT all over India.**



Composition: A bench consists of one Judicial Member and one Administrative Member.

**The conditions of service of the Chairman and Members of CAT are the same as applicable to a Judge of High Court.**

Salaries, Allowances and Conditions of Service of the officers and other employees of the Tribunal are specified by the Central Government.

### **Powers:**

It exercises jurisdiction only in relation to the service matters of the parties covered by the Administrative Tribunals Act 1985.

The Tribunal is guided by the principles of natural justice in deciding cases and is not bound by the procedure prescribed by the Civil Procedure Code.

CAT is empowered to frame its own rules of procedure and practice.

It has been conferred with the power to exercise the same jurisdiction and authority in respect of contempt of itself as a High Court.

Tribunals are judicial or quasi-judicial institutions established by law. They intend to provide a platform for faster adjudication as compared to traditional courts, as well as expertise on certain subject matters. It performs a number of functions, like adjudicating disputes, determining rights between contesting parties, making an administrative decision, reviewing an existing administrative decision, and so forth.

## **Red Sea**

Global trade has been severely affected recently, primarily due to the disruption of one of the critical shipping routes — through the Red Sea.



### About Red Sea

It is a semi-enclosed inlet (or extension) of the Indian Ocean between the continents of Africa and Asia.

It is one of the world's warmest seas.

It is connected to the Arabian Sea and the Indian Ocean to the south through the Gulf of Aden and the narrow strait of Bab El-Mandeb.

The northern portion of the Red Sea is bifurcated by the Sinai Peninsula into the Gulf of Aqaba and the Gulf of Suez, where it is connected to the Mediterranean Sea via the famous Suez Canal.

### Bordering Countries:

Yemen and Saudi Arabia border the Red Sea to the east.

It is bordered by Egypt to the north and west and by Sudan, Eritrea, and Djibouti to the west.



This sea has a surface area of roughly 438,000 km<sup>2</sup> and is about 2,250 km in length.

The maximum width of the sea is 355 km, and the sea's deepest point is 3,040 m at the central Suakin Trough, with the sea's estimated average depth being 490 m.

The Red Sea contains some of the world's hottest and saltiest seawater.

Islands: Some well-known islands include Tiran Island, which is located near the mouth of the Gulf of Aqaba, and Shadwan Island, which is located at the entrance of the Gulf of Suez.

With its connection to the Mediterranean Sea via the Suez Canal, it is one of the most heavily traveled waterways in the world, carrying maritime traffic between Europe and Asia.

A strait is a narrow waterway between two pieces of land that connects two large bodies of water. Well-known straits include the Bering Strait, which links the Arctic Ocean with the Bering Sea and separates the continents of Asia and North America at their closest point. The Strait of Gibraltar, located between Spain and Africa, connects the Mediterranean Sea with the Atlantic Ocean. The Strait of Magellan lies between the southern tip of South America and the islands of Tierra del Fuego and links the Atlantic and Pacific oceans.

## Conflict between States and Governors

The Kerala government recently approached the Supreme Court, expressing concerns over President Droupadi Murmu withholding assent to four Bills passed by the state and Governor Arif Mohammed Khan withholding assent to seven Bills, some for up to two years, before referring them to the President. The state government, led by the Left Democratic Front, urged the court to declare the referring of state Bills to the President as unconstitutional and lacking in good faith.

### Conflict between States and Governors

This incident marks the latest episode in the ongoing conflict between states governed by opposition parties and their appointed Governors, who act on the





advice of the Centre. The situation underscores the need for clarity and guidelines regarding the Governor's role in state governance.

## Understanding Governor-State Relations

### Legal Framework

The Governor, envisioned as an apolitical head, possesses certain powers under the Constitution, including giving or withholding assent to Bills passed by the state legislature.

However, there are no explicit provisions outlining the manner in which the Governor and the state must engage publicly during differences of opinion.

### Recent Friction Points

#### Selection of Government

Instances of Governors influencing government formation have occurred, leading to controversies and political instability.

Examples include the dissolution of the J&K Assembly by Governor Satyapal Malik and the subsequent bifurcation of the state.

#### Handling of Bills and Remarks

Governors have faced criticism for delaying assent to Bills and making negative remarks on state administration, as observed in Kerala and Maharashtra.

#### Historical Context

Allegations of Governors destabilizing state governments date back to the 1950s, with instances of state government dismissals and imposition of President's Rule orders.

The increasing politicization of the Governor's position has led to concerns regarding their impartiality and adherence to constitutional principles.

## Proposed Reforms

Various commissions have recommended reforms, including changes in the Governor's selection process, fixed tenure, and provisions for impeachment.

However, these recommendations have not been implemented by successive governments, highlighting the need for reform in Governor-state relations.



The conflict between states and Governors underscores the importance of defining the Governor's role within the constitutional framework. Addressing these issues requires comprehensive reforms aimed at ensuring the Governor's impartiality and accountability in state governance.

The conflict between governors and state governments has persisted since independence, reflecting the complex relationship between the Centre and states.

Governors serve as a crucial link between the Centre and states, with their appointment and tenure controlled by the Centre.

### **Quasi-Federal Structure of Government**

India's governance follows a Quasi-Federal structure, where powers are divided between the central government and state governments.

Powers are delineated into Union, State, and Concurrent Lists, with the central government holding authority over certain subjects.

#### **Increasing Centralization**

The federal structure faces challenges due to the growing involvement of governors, especially in states with opposing ruling parties.

Commissions like Sarkaria Commission, the National Commission to Review the Working of the Constitution, and the Punchhi Commission have proposed reforms to address these issues.

#### **Appointment and Role of Governors**

##### **Appointment Process**

**Article 153 of the Constitution outlines the appointment of governors by the Centre.**

Initially, suggestions were made for non-political appointments, emphasizing individuals with expertise in various fields.

##### **Criticisms and Challenges**

Governors have faced criticism for perceived political bias, overstepping of powers, and interference in state administration.



Instances of prolonged withholding of assent to bills and controversial appointments have heightened tensions between governors and state governments.

## **Recommendations for Reform**

### **Punchhi Commission Recommendations**

The Punchhi Commission recommended redefining the Governor's role as a representative of the President to enhance impartiality.

It suggested empowering governors to address constitutional crises and dismissed governments, ensuring timely and effective governance.

### **Judicial Intervention and Supreme Court Cases**

Supreme Court judgements, such as *Shamsher Singh vs State of Punjab* and *S. R. Bommai v. Union of India*, have delineated the limits of gubernatorial powers.

The Court established that the Governor's actions are subject to judicial review and must align with constitutional principles.

## **Conclusion and Reform Agenda**

The role of governors is vital in maintaining state-centre relations, but their politicization undermines their neutrality.

Reforms should focus on depoliticizing appointments, defining discretionary powers, and ensuring consultation with state governments.

Constitutional amendments are necessary to institutionalize these reforms and uphold the integrity of India's federal structure.

## **M.M. Punchhi Commission : Report and Recommendations**

### **Appointment and Removal of Governors**

#### **Appointment and removal criterion recommendations:**

The incumbent should stay away from active politics (even at a local level) for at least two years prior to his appointment.

There should be a say of the State's Chief Minister while making the Governor's appointment.



A committee should be formed that is entrusted with the task of appointment of governors. This committee may comprise the Prime Minister, the Home Minister, the Lok Sabha's speaker and the concerned Chief Minister of the State.

Deletion of the Doctrine of Pleasure from the Constitution.

The term of appointment should be five years.

Governor could only be removed via a resolution by the State Legislature.

Recommendation of provision for the Governor's impeachment by State Legislature.

Right of Governor to sanction the prosecution of ministers against the advice of the State Government.

It was also recommended by the Commission that the convention of appointing governors as chancellors of universities must also come to an end.

Judicial Precedents on Governor's Powers

B. P. Singhal v. Union of India (2010)

The Supreme Court ruled that the Governor is generally bound to act on the advice of the Council of Ministers.

Exceptions exist for situations like constitutional crises, where the Governor may exercise discretion.

Rameshwar Prasad v. Union of India (2006)

The Supreme Court affirmed that the President's authority to dissolve a state assembly and call for fresh elections is subject to judicial review.

This decision emphasizes the accountability of the President's actions in such critical matters.

R. K. Garg v. Union of India (1981)

The Supreme Court clarified that the Governor's power to reserve a bill for the President's assent is not absolute.

The decision underscores the possibility of challenging gubernatorial actions in court, ensuring checks and balances in the legislative process.



## Mushk Budiji Rice

The cultivation of mushk budiji rice in the Kashmir Himalaya has long been celebrated for its distinctive aroma and flavor.



Recent research conducted by scientists at the Sher-e-Kashmir University of Agricultural Sciences and Technology (SKUAST), Srinagar, sheds light on the environmental factors influencing the development of this unique aroma.

### Identifying Aromatic Compounds

In a study published in Nature Scientific Reports, researchers analyzed mushk budiji rice samples collected from various altitudes ranging from 5,000 to 7,000 feet across the valley.

Through gas chromatography-mass spectroscopy (GC-MS) and electronic nose (e-nose) analyses, they identified approximately 35 volatile organic compounds (VOCs) contributing to the rice's aroma.

### Impact of Altitude and Temperature

The study revealed that altitude and temperature significantly influence the synthesis of aroma compounds in mushk budiji rice.



Specific aromatic compounds, such as 2-acetyl-1-pyrroline (2-AP), were found to be more prevalent at higher altitudes, particularly in districts like Budgam and Kupwara.

### **Conservation Efforts**

Mushk budiji rice faced the threat of extinction due to factors like rice blast disease and low yield. However, a revival program initiated by SKUAST scientists in 2007 has contributed to its gradual resurgence.

### **Genetic Analysis**

Researchers employed gene-expression analysis to understand how environmental factors affect the flavor profile of mushk budiji rice.

By studying the activity of genes associated with aroma synthesis, they elucidated the genetic mechanisms underlying the rice's aroma development.

### **Export Potential and Economic Growth**

The study's findings hold implications for maximizing the export potential of mushk budiji rice.

Cultivating this variety in regions where environmental conditions optimize aroma expression could enhance its market value, leading to significant economic growth in the agricultural sector.

### **Future Directions**

While the research offers valuable insights, further studies are needed to comprehensively understand the interplay between environmental factors and genetic mechanisms in aroma synthesis.

Whole-sample transcriptome sequencing could provide a more comprehensive understanding of gene expression patterns and their correlation with aroma development.

## **INDIA'S COAL IMPORTS**

India's energy landscape is fraught with persistent electricity shortages, primarily stemming from burgeoning demand and logistical intricacies in coal distribution.



This discourse delves into the underlying factors contributing to electricity deficits and introduces inventive strategies to mitigate them effectively.

### **Understanding the Challenge:**

#### **Escalating Electricity Demand:**

India's unabated quest for electricity, propelled by urbanization, population expansion, and economic growth, poses formidable challenges to its energy ecosystem.

#### **Dispelling Coal Scarcity Myths:**

Contrary to prevalent notions, the purported shortage of domestic thermal coal, pivotal for power generation, is often overstated.

Reported deficits, like the minor 55% shortfall in August 2023, belie the perception of acute scarcity, spotlighting misconceptions.

#### **Confronting Logistical Complexities:**

The crux of the matter lies in confronting intricate logistical hurdles in coal transit from mines to power plants.

Existing railway infrastructure, a linchpin in coal logistics, grapples with constraints hampering seamless supply chain management.

#### **Mitigating Import Reliance:**

Misinterpretation of policy directives has fostered an undue reliance on coal imports, exacerbating supply chain inefficiencies.

While the Ministry of Power advocates prudent coal stock monitoring and limited imports (up to 6% by weight), this counsel has been misconstrued as a mandate, fueling unnecessary expenditures.

### **Innovative Approaches:**

#### **Leveraging Indigenous Resources:**

Unleashing the potential of domestic coal reservoirs through mechanisms like spot auctions by Coal India Ltd holds promise in alleviating supply shortfalls.

Encouraging power plants to prioritize domestic coal procurement, notwithstanding logistical challenges, holds the key to enhancing supply chain resilience.



### **Addressing Logistical Bottlenecks:**

Strategic investments in infrastructure, particularly rail networks, are imperative to streamline coal transit routes.

By bolstering connectivity and optimizing logistics, India can fortify its coal supply chain, curbing import dependence and ensuring uninterrupted power generation.

### **Reinforcing Regulatory Oversight:**

Strengthening regulatory supervision is crucial to incentivize power plants to adopt cost-effective procurement strategies.

Vigilant oversight of coal procurement practices by regulators can alleviate financial burdens on consumers and foster energy sustainability.

### **Insights from IEA Report 2024:**

#### **Persistent Coal Dependency:**

Despite efforts to diversify energy sources, coal remains the linchpin of India's energy landscape, underscoring the urgency of accelerating renewable energy adoption.

#### **Advancements in Renewable Energy:**

Robust growth in renewable energy capacities, particularly solar and wind, underscores the imperative of expediting the transition to sustainable energy sources for long-term viability.

#### **Charting the Path Forward:**

##### **Infrastructure Augmentation:**

Prioritizing investments in infrastructure upgrades for coal transit networks is pivotal in bolstering supply chain resilience.

Enhancing rail connectivity and optimizing logistics hold the promise of mitigating supply disruptions and enhancing energy security.

##### **Promoting Renewable Energy Transition:**

Accelerating the shift towards renewable energy sources, such as solar and wind, is imperative for sustainable energy security.



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No 18, B.B.M.P Building  
Kanakapura road ,  
Tata Silk Farm, Jayanagar,  
Bengaluru, Karnataka-560028

080 - 26765004

rvta@rvei.edu.in

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