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ISSUE 3 April
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EDITORIAL

Certain events that happen in a country can affect the happenings going on in other parts of the world. Hence current affairs have an important role. Owing to this importance and its dynamic nature, current affairs is a section that we can find in every competitive exam. This is to test a student's ability to be abreast of what is happening in the world.

Current affairs comprises topics like **National and International Affairs, Economics, Environment, Law & Justice, Science and Technology, and myriad others like important Personalities, Places, Organisations, Military Exercises, Awards, Appointments, Agreements, Sports** etc. which are related to competitive exams.

A New feature "**Concept 360^o**" is added in this magazine, under which different dimensions of the current topics are depicted like - Historical, Geographical, Constitutional etc.

The "**CURRENT DRISHTI - Visual Current Affairs**" Monthly Magazine presented by **Sam Samayik Ghatna Chakra** encapsulates all the dimensions of the current affairs in a single book. It is probably the first time the current affairs study material is being presented in visual (diagrammatic) form.

The **Info-Pictographic images** designed in the magazine are relevant to the matter, which would help the reader to memorize the facts easily and reproduce in the examinations.

For the preparation of Civil Services Examinations, special sections of **Mains Answer Writing Practice, Ethics Booster Series, Learning through Maps** etc. have been initiated in this magazine.

This compendium of current affairs will definitely be beneficial for not only the aspirants of the civil services examinations, but to every reader who wants to be updated about the contemporary international and national events.

Hope You Will Enjoy This...

Hijab Controversy

Contemporary Dimension

- 👤 The Hijab has become the subject of a fierce debate in India.
- 👤 It all began last month when six teenagers at a government run college in Karnataka's Udupi district began protesting off
 - ◆ After they were barred from classes for wearing head scarves.

Head coverings worn by Muslim Women

Niqab : Veil for the face, eyes remain visible

Chador : Full body cloak

Al-Amira : Two piece headsoy

Hijab : Square scarf covers head and neck

Shayla : long scarf wrapped around the head



Timeline of the Controversy

Government Pre University college decides not to allow Hijab

To ban Hijab as part of a uniform dress code

Grounds were : unity, equality and public order

Ban students to enter the university with Hijab

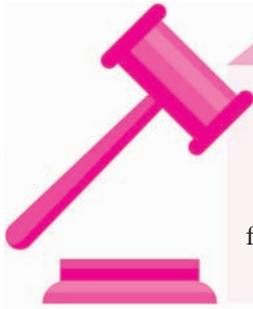
But there was no Govt. Order/law behind it

Then on 5th Feb, 2022 G.O. was passed

In the Meantime interim order of Karnataka court comes in

It prohibits all students from wearing religious clothing.

How are Free speech and religious freedom protected under the constitution



Article 19
(1) (a) : It lays down that all citizens shall have the right to freedom of speech and expression

Article 25 :
It guarantees the right to profess practice and propagate religion

Article 26:
It guarantees religious denominations, among other things, freedom to manage their religious affairs

Article 28 :
Freedom for people to attend religious instructions

Restrictions on the exercise of the above rights:

Article 19
(2) : State can impose reasonable restrictions on Art 19 rights in the interests of

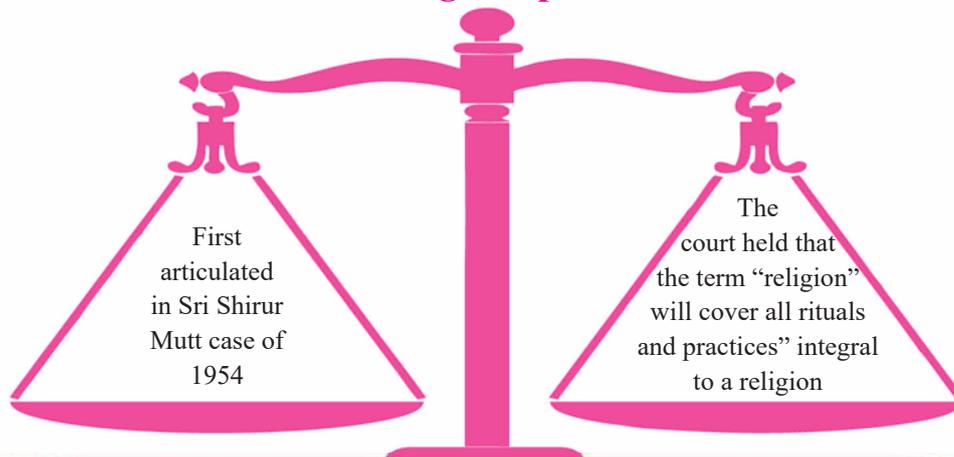
- the sovereignty and integrity of India
- friendly relations with foreign states
- the security of the state
- public order, decency of court defamation or incitement to an offence

Article 25 :
This right is subject to public order morality and health. But it also permits the state to regulate economic financial, political or other secular activity associated with religious institution

Article 26 :
Here right is also subject to public order, morality and health

Over the years, the supreme court has evolved practical test of sorts to determine what religious practices can be constitutionally protected and what can be ignored “essential religious practices” test.

Essential religious practices test



Also in Shirur Mutt case, court look upon itself the responsibility of determining the essential and non-essential practices of a religion



QUIZ

1. Which case described the “Hinduism” as a “way of life”?
2. Rev Stanislaus vs State of Madhya Pradesh case
3. Which article prohibits religious instruction in state-run educational institutions

- Satsangi case 1966
(also yagnapurush das ji case)
- Right to propagate religious
- Article 28

Working definition of religion given by Justice B.K. Mukherjee in Shirur Mutt Case:

- 👤 He rejected the definition of religion offered by the US Supreme Court in *Davis v Beason*:
 - ◆ The term religion has reference to one's views of his relation to his Creator and to the obligations they impose of reverence for His Being and character, and of obedience to his will. It is often confounded with the culture or form of worship of a particular sect, but is distinguishable from the latter."
 - ◆ The Court pointed out the inadequacy of this definition in the Indian context by noting that there are major religions like Buddhism or Jainism 'which do not believe in God or in any Intelligent First Cause'.
- 👤 Instead, Mukherjee drew on the *Adelaide Company vs Commonwealth* judgement in Australia, where the Court said the Constitution not only protected 'liberty of opinion' but also 'acts done in pursuance of religious belief as part of religion'.
- 👤 Collapsing the belief-practice dichotomy, he observed:
 - ◆ A religion undoubtedly has its basis in a system of beliefs or doctrines which are regarded by those who profess that religion as conducive to their spiritual well-being. But it would not be correct to say that religion is nothing else but a doctrine or belief.
 - ◆ A religion may not only lay down a code of ethical rules for its followers to accept, it might prescribe rituals and observances, ceremonies and modes of worship which are regarded as integral parts of religion.

The essentiality test evolved in the Shirur Mutt case has been followed in a series of subsequent judgments by the to court.

In Bijoe Emmanuel Vs State of Kerala (1986) : Expelling children based on their "conscientiously held religious faith" violated the Constitution. Three children were expelled from the school for not singing the national anthem because it was against their religious faith in Jehovah's Witnesses.

In M Ismail Faruqui Vs Union of India and Others, 1995 : The apex court held that a mosque is not an essential part of the practice of the religion of Islam and Namaz by Muslims can be offered anywhere, even in the open.

In the Tandava Dance case : The Calcutta high court found that the Tandava dance was an essential practice of the Ananda Margi faith, only to be overturned by the Supreme Court in 2004.

In its December 2015 judgement on appointment of Archakas (priests) in Tamil Nadu Hindu temples : The Supreme Court asserted that "constitutional legitimacy must supersede all religious beliefs or practices".

In 2016, the Supreme Court affirmed the discharge of a Muslim airman from the Indian Air Force for keeping a beard as it held that keeping a beard was not an essential part of Islamic practices.

International/Ethical Perspective

- 👤 The recent uproar on wearing the Hijab in Karnataka's educational institutions has reignited the debate around gender equality and freedom of religion.
- 👤 These are not just constitutionally guaranteed fundamental rights, but are also recognised human rights. Hence, the Hijab ban also needs to be seen from an International Human Rights Law (IHRL) perspective.

Is wearing Hijab protected under the IHRL?

Article 18 of the International Covenant on Civil and Political Rights (ICCPR) reads, “Everyone shall have the right to freedom of thought, conscience and religion. Way back in 1993, in its General Comment No. 22, the United Nations Human Rights Committee (UNHRC or Committee) interpreted the scope of this Article to include “the wearing of distinctive clothing or headcoverings”.

On October 11, 2010, France passed a law, Act No. 2010-1192, which stipulated that “No one may, in a public space, wear any article of clothing intended to conceal the face”.

Based on these decisions and the general comment, it is fairly settled that wearing a Burqa or full face covering is protected as a right to religion under the IHRL.

In 2018, UNHRC, in its two landmark decisions, *Miriana Hebbadj v. France* and *Sonia Yaker v. France*, decided that the French Burqa ban was indeed in violation of the right to freedom of religion (Article 18) and the right to equality (Article 26) of the ICCPR

- 👤 In the debate on the Hijab, one thing should always be borne in mind. It is not the Hijab but the banning of the Hijab that should be scrutinised on the threshold of constitutional law and human rights norms.
- 👤 The Hijab may well be a practice of gender discrimination but so is banning it. Coercively disrobing a woman is equally a negation of her agency as coercively veiling her. It is finally the women who have to decide.



QUIZ

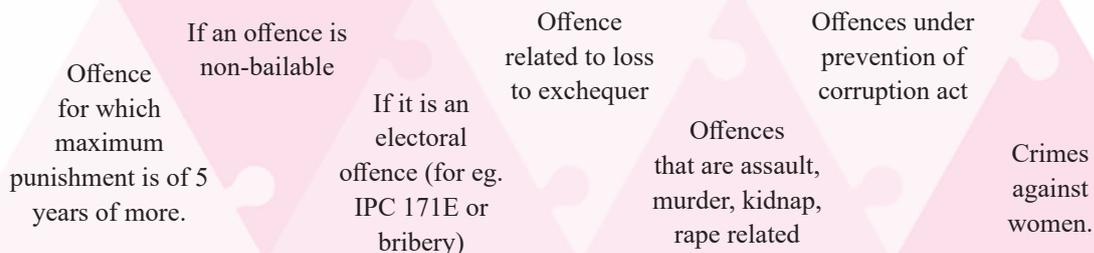
1. The term ‘Secular’ was added to the preamble by **- the 42nd constitutional Amendment Act of 1976**
2. By which act, the separate electorates for Muslims were introduced? **- Indian Councils Act, 1909**
3. In which case it was declared that secularism is the basic feature of the constitution **- Bommai Case 1994**

Electoral Reform

Contemporary Perspective

- 📅 Assembly elections are being held in 5 states -Punjab, Uttar Pradesh, Uttarakhand, Goa and Manipur and their results will be declared on March 10,2022
- 📅 And, as always, the knowledge of criminal financial background of sitting and contesting candidates has started qualifying the political lingua franca of the voters.

Criteria for serious criminal cases



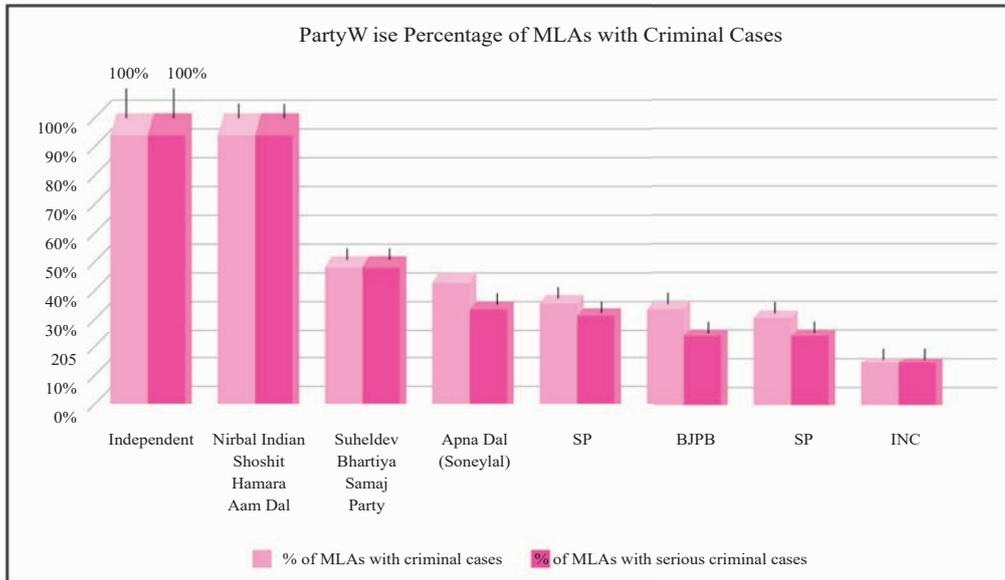
140 (35%) MLAs with criminal Cases

106 (27%) MLAs with serious criminal cases

313 (79%) crorepati MLAs

Rs. 5.85 crore average assets of MLAs

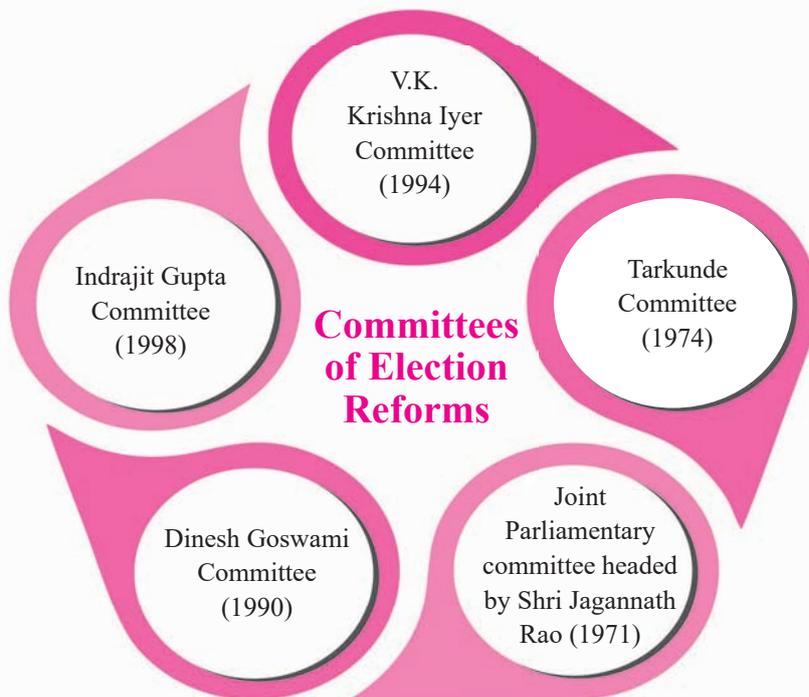
Uttar Pradesh Assembly Election, 2017



And this carnival of democracy as always, have brought forth the process of electoral reforms a political outcaste, at the fore.

Constitutional/Political Perspective

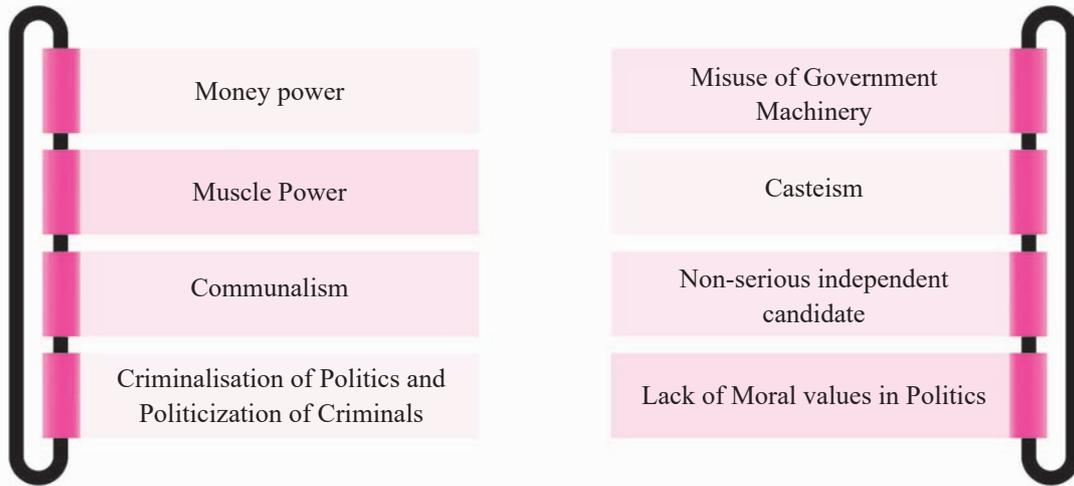
- The need for electoral reforms was increasingly felt towards the late 1960s in India.
- It was during this time that regional parties and rule by coalition of parties began to emerge in the states



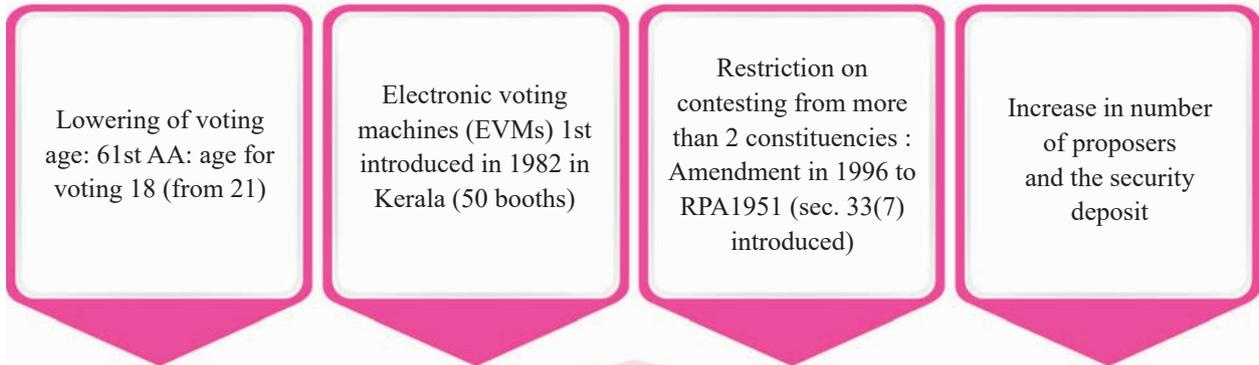


And this above emergence of alternative party governments in the state witnessed

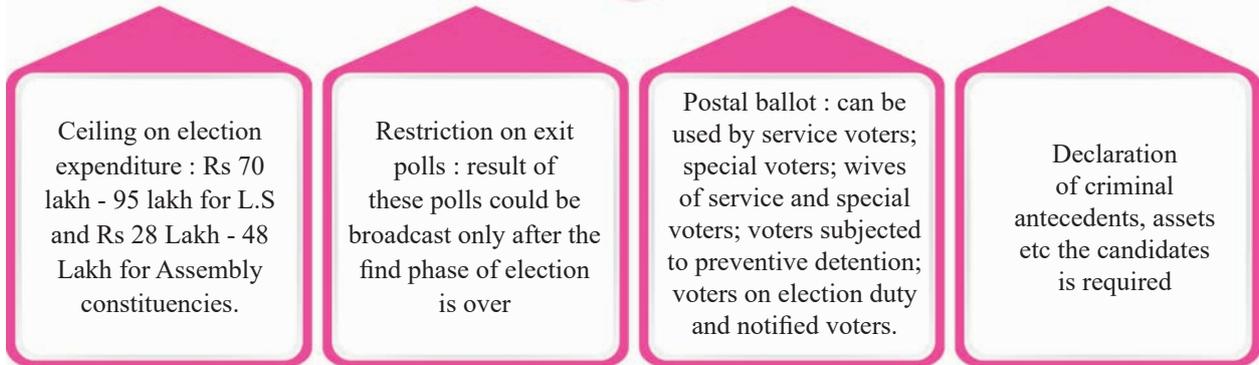
◆ The accentuation of some of the negative traits & distortions in the political system as follows:



Issues in Electoral Politics in India

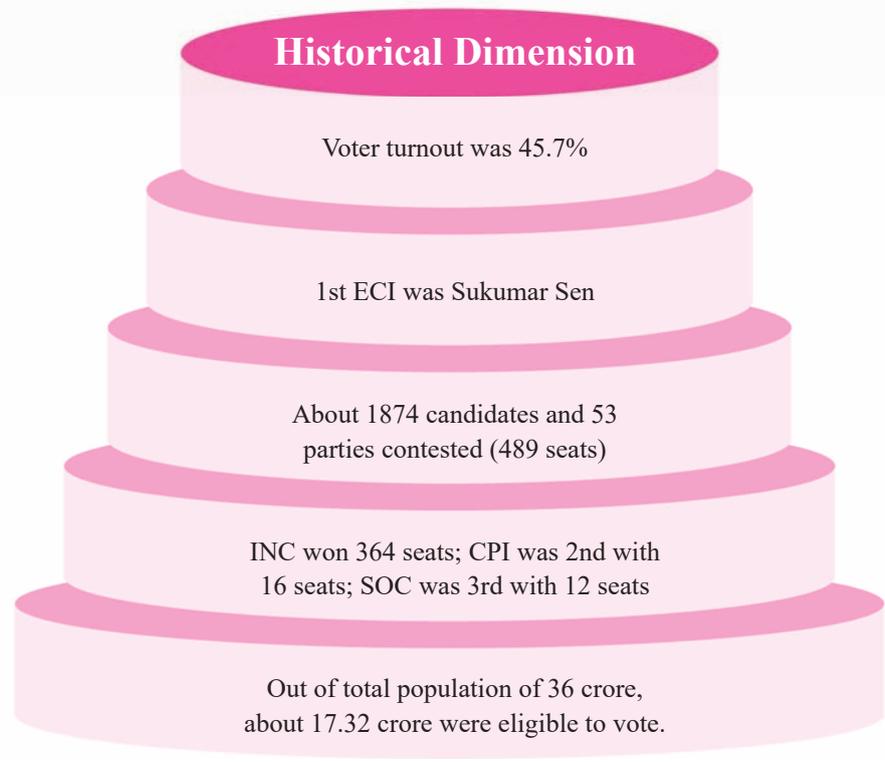


Electoral Reforms undertaken





- 📖 The election commission is not concerned with the elections to Panchayats and municipalities in the state for this constitution provides for a separate state Election commission.
- 📖 The first General Elections of India started on 25th October 1951 and continued till 21st February, 1952.



Electoral Bonds

An electoral bond is like a promissory note that can be bought by any Indian citizen or company incorporated in India from select branches of State Bank of India. The citizen or corporate can then donate the same to any eligible political party of his/her choice. The bonds are similar to bank notes that are payable to the bearer on demand and are free of interest. An individual or party will be allowed to purchase these bonds digitally or through cheque.

When was electoral bond introduced?

The electoral bonds were introduced with the Finance Bill (2017).

How to use electoral bonds?

The bonds will be issued in multiples of Rs 1,000, Rs 10,000, Rs 100,000 and Rs 1 crore (the range of a bond is between Rs 1,000 to Rs 1 crore). These will be available at some branches of SBI. A donor with a KYC-compliant account can purchase the bonds and can then donate them to the party or individual of their choice. Now, the receiver can encash the bonds through the party's verified account.

Benefits of Electoral Bonds

Ensures Accountability

Donations through Electoral Bonds will only be credited in the party bank.

Discouraging Cash

The Purchase will be possible only through a limited number of notified banks

Maintains Anonymity

Individuals, groups, NGOs, etc. donates without disclosing their details.

Challenges for Electoral Bonds

Unauthorized Donations

In a situation where the contribution received through electoral bonds are not reported.

Leading to Crony-Capitalism

It could become a convenient channel for businesses to round-trip their cash parked in tax havens to political parties

Hindering Right to Know

The change infringes the citizen's 'Right to Know' and makes the political class even more unaccountable.

QUIZ

- The electoral bond will be valid only for **- Fifteen days form the date of the issue**
- The Narendra Modi-led NDA government notified the Electoral Bond Scheme on **- January 2, 2018**
- On 16 October 1989, the voting age was changed from 21 to **- 18**
- In case of a difference of opinion amongst the Chief Election Commissioner and/or two other election commissioners, the matter is decided by the Commission **- By a majority**
- The task of delimiting constituencies is generally performed by the Delimitation Commission consisting of **- Five serving or retired judges of the Supreme Court and the Chief Election Commissioner who is its ex-officio member**

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