



**TATHASTU**  
Institute of Civil Services

# **DAILY CURRENT AFFAIRS**



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S.NO.	TOPIC
1.	DECLARATION OF STATE EMERGENCY UNDER ARTICLE 356
2.	DRAFT CLIMATE DEAL FAILS TO 'PHASE OUT' FOSSIL FUEL
3.	PRELIMS POINTERS

## DECLARATION OF STATE EMERGENCY UNDER ARTICLE 356

SOURCE: [THE HINDU](#)

### WHY IN NEWS?

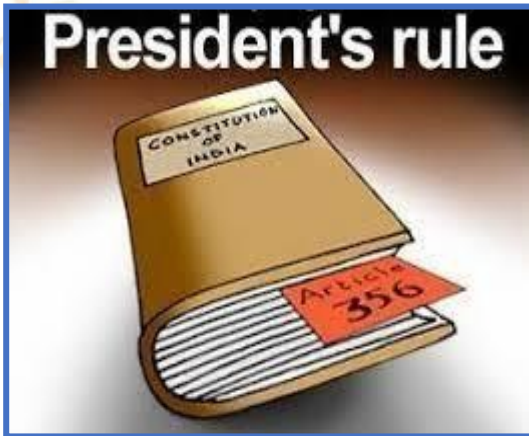
The Supreme Court's recent pronouncement on the State Emergency declaration in Jammu and Kashmir is significant and has garnered attention for several reasons:



- **Article 356 and Presidential Actions:**
  - ✓ The Court's ruling introduces **clarity on the relationship between the declaration of a State Emergency under Article 356 and the subsequent actions taken by the President.**
  - ✓ This interpretation of the **"reasonable nexus" requirement sheds light on the constitutional aspects of emergency powers.**
- **Jammu and Kashmir's Special Status:**
  - ✓ The case revolves around the events in Jammu and Kashmir, particularly the **actions taken in December 2018**, which eventually led to the **abrogation of Article 370 and the bifurcation of the State into Union Territories.**
- **The scrutiny of the President's objectives during the Emergency period is directly linked to the substantial constitutional changes made in August 2019.**

### UNDERSTANDING ARTICLE 356:

- **Empowerment of the President:**
  - ✓ Article 356 grants the President the authority to **withdraw executive and legislative powers** from a state.
  - ✓ This action is taken if the President is satisfied that the **state government cannot function as per constitutional provisions.**
- **Determination of Constitutional Breakdown:**
  - ✓ The President can assess the breakdown of **constitutional machinery** based on a report from the **Governor or Suo Motu.**
- **Duration and Parliamentary Approval:**
  - ✓ President's Rule can be imposed for six months at a time, up to a maximum of three years.
  - ✓ Every six months, **Parliamentary approval is required** to continue President's Rule.



### HISTORICAL BACKGROUND OF ARTICLE 356:

- **Inspiration from Government of India Act, 1935:**
  - ✓ Article 356 finds its roots in **Section 93 of the Government of India Act, 1935.**
  - ✓ The 1935 Act allowed a **Governor to assume powers** if the government couldn't function according to the Act.
- **Transition to Democracy and Post-Independence Challenges:**



- ✓ Framers of the Constitution anticipated challenges in transitioning to democracy post-independence.
- ✓ The **diversity in India's social, economic, and political life** presented potential difficulties. Article 356, inspired by Section 93, **was deemed necessary for potential disruptions in the young republic.**

➤ **Democratic Experiment and Skepticism:**

- ✓ With the introduction of adult franchise, the framers foresaw challenges, **especially in princely states unfamiliar with democratic rule.**
- ✓ **Some opposed Article 356**, arguing it reflected an imperial legacy, but it was retained with the expectation of responsible use.

➤ **Exceptional Power and Federal Concerns:**

- ✓ Article 356 meant for **exceptional circumstances** where the constitutional government becomes impossible.
- ✓ Central dominance over states is **implicit but not absolute**; India is viewed as a democratic federation.

➤ **Political Use in Independent India:**

- ✓ Used against Left and regional parties during Congress's dominance. Misused during **Nehru's era, especially in the 1960s.** Janata Party and subsequent governments also utilized it against opposition-led states. Landmark **S. R. Bommai Case: The 1989 dismissal of the S R Bommai government** led to

a landmark Supreme Court case.



**Three Types of Emergencies in the Indian Constitution:**

**1. National Emergency (Article 352):**

**Imposition Conditions:** Grave threat due to war, aggression, or rebellion.

**Duration and Approval:** Proclamation needs Parliament approval within a month; maximum 6 months.

**Impact:** Centralized powers, fundamental rights suspension.

**2. Failure of Constitutional Machinery (Article 356):**

**Declaration Conditions:** Breakdown in state governance.

**Proclamation Approval:** Laid before Parliament, needs approval every 6 months.

**Consequences:** President assumes state powers, Parliament legislates.

**3. Financial Emergency (Article 360):**

**Declaration Conditions:** Threat to financial stability.

**Proclamation Procedure:** Laid before Parliament, ceases without approval.

**Executive Authority Extension:** Union can give financial directives to states.

**Instances in India:** No recorded instances.



- ✓ In **S. R. Bommai v. Union of India (1994)**, the court set **specific conditions for invoking Article 356**.
- **Conditions for Invocation:**
  - ✓ Article 356 can be used in **cases of a physical breakdown of government** or a **'hung assembly.'**
  - ✓ It cannot be **invoked without giving the state government** a chance to prove its majority or in the absence of a violent breakdown of constitutional machinery.
- **Curbing Political Misuse:**
  - ✓ The **S. R. Bommai case limited the arbitrary use of Article 356**.
  - ✓ The Supreme Court's judgment outlined instances **when President's Rule can and cannot be imposed**.

#### JUDICIAL INTERPRETATION OF ARTICLE 356:

- **Objective Material for Presidential Satisfaction:**
  - ✓ The President's satisfaction, a **subjective assessment**, requires **objective material**.
  - ✓ Material may come from the **Governor's report or other sources**, but it must indicate a **constitutional breakdown**.
- **Conditioned Power and Discretion:**
  - ✓ Article 356 confers a **conditioned power**, not absolute discretion.
  - ✓ The **President must consider advisability** and necessity before taking any action.
  - ✓ **Dissolution** of the Legislative Assembly is **not automatic**; it should align with the **proclamation's purposes**.
- **Role of Council of Ministers and Principles of Natural Justice:**
  - ✓ The President's satisfaction is constitutionally bound by **the aid and advice of the Council of Ministers**.
  - ✓ **Principles of natural justice aren't applicable directly** due to the unique nature of the power.
- **Nature of Non-Compliance:**
  - ✓ **Non-compliance with the Constitution** should lead to a situation where the **state government cannot function constitutionally**.
  - ✓ **Not every violation of a constitutional provision triggers Article 356**; it must threaten the state's governance.
- **Governor's Role and Reporting:**
  - ✓ The **Governor's duty** is to report **actions or inactions threatening constitutional governance**.
  - ✓ The President relies on this report to form **satisfaction regarding the breakdown of constitutional machinery**.



#### CONCERNS AND JUDICIAL SCRUTINY:

- **Abuse of Power Over the Years:**
  - ✓ Article 356 **was invoked over 90 times between 1950 and 1994**, raising concerns about its frequent and sometimes arbitrary use.
  - ✓ **Instances of dismissal without allowing governments to prove their majority** led to legal challenges.
- **Need for Co-operative Federalism:**
  - ✓ **Co-operative federalism, not dominance**, is essential for a balanced relationship between the Union and States.
  - ✓ The power under Article 356 **should not be misused for political gains** or destabilizing elected governments.
- **Call for Judicial Review and Safeguards:**
  - ✓ **Judicial review** is crucial to ensuring **the proper application of Article 356**.
  - ✓ The **power is subject to parliamentary approval**, providing a check against potential abuse.

#### RECENT SUPREME COURT'S VERDICT ON STATE EMERGENCY DECLARATION:

- **Reasonable Nexus Requirement:**



- ✓ The Supreme Court emphasized that the declaration of a State Emergency under Article 356 should have a **"reasonable nexus" with the subsequent actions of the President.**
- **Questioning Presidential Objectives:**
  - ✓ Petitioners have the right to question whether the **President's objective, in declaring a State Emergency in Jammu and Kashmir** in December 2018, was to **abrogate the special status** of the region and **bifurcate it into two Union Territories.**
- **Governor's Proclamation:**
  - ✓ The Governor issued a Proclamation under **Section 92 of the Jammu and Kashmir Constitution**, taking over the powers and functions of the State government in the **event of a failure of constitutional machinery.**
- **Dissolution of Legislative Assembly:**
  - ✓ On November 21, 2018, the Governor dissolved the Legislative Assembly, and a month later, the **President invoked Article 356** based on the **Governor's report.**
- **Constitutional Changes in August 2019:**
  - ✓ On August 5, 2019, the President issued **the Constitution (Application to Jammu and Kashmir) Order**, applying all provisions of the Indian Constitution to the region.
  - ✓ Parliament abrogated **Article 370 and reorganized the State into two Union Territories.**
- **Judicial Scrutiny of Presidential Actions:**
  - ✓ The Supreme Court affirmed that **actions of the President during a State Emergency** are subject to judicial scrutiny.
  - ✓ The court can examine if **Parliament's exercise of power has a reasonable nexus** with the object of the President's proclamation under Article 356.
- **Burden of Proof:**
  - ✓ The onus is on the person challenging the **President's actions to establish a prima facie case** of "mala fide or extraneous exercise of power."
  - ✓ If a prima facie case is established, the burden **shifts to the Centre to justify that the exercise of power** had a reasonable nexus with the proclaimed object.
- **Judicial Oversight:**
  - ✓ The Chief Justice stated that the court, during judicial review, can **determine the legitimacy of the exercise of power by Parliament during a State Emergency.**



#### WAY FORWARD FOR ARTICLE 356:

- **Need for Amendment:**
  - ✓ Considering the **demand for the deletion of Article 356**, the report acknowledges the necessity of amending rather than deleting the article.
  - ✓ **The checks provided by Article 356 prevent the Central Government** from **arbitrary actions** in the name of constitutional redress.
- **Amendment Recommendations:**
  - ✓ **Parliamentary Approval:**
    - Legislative Assembly **cannot be dissolved until both Houses of Parliament approve the proclamation.**
    - Alternatively, the Legislative Assembly **can be kept under animated suspension.**
  - ✓ **Prior Indication and Opportunity:**
  - ✓ Before issuing the proclamation, the **President/Central Government should indicate specific**



**matters** where the State Government is not acting constitutionally.

- ✓ The State Government should be **given a reasonable opportunity to address the issues** unless national security is at stake.
- **Non-Withdrawable Proclamation:**
  - ✓ Once a proclamation is issued, **it should not be withdrawn and reissued to circumvent** the requirements. The prescribed period for **action under clause (3) should be calculated from the date of the initial proclamation.**
- **Transparent Proclamation:**
  - ✓ The proclamation must include, **as an annexure, the circumstances and grounds justifying** the constitutional breakdown.
  - ✓ **Reasons for keeping the Legislative Assembly under animated suspension** or dissolving it should also be explicitly stated.
- **Parliamentary Decision on Confidence:**
  - ✓ Confidence in the Ministry **should be decided only on the floor of the Legislative Assembly.**
  - ✓ The **Governor should refrain from dismissing the Ministry** as long as it holds the confidence of the House.
- **Sarkaria Commission Recommendations:**
  - ✓ Reiterating and endorsing **specific recommendations from the Sarkaria Commission**, including those related to the sparing use of Article 356, issuing warnings, and exhaustive exploration of alternatives.
- **Judicial Scrutiny:**
  - ✓ **Effective Judicial Review:**
    - Amendments should make **judicial review more meaningful by incorporating material facts and grounds** for invoking Article 356 in the proclamation itself.
  - ✓ **Transparency and Publicity:**
    - The Governor's report leading to the proclamation **should be a "speaking document,"** providing clear and precise facts. It should be given wide publicity across all media.
  - ✓ **Timely Placing Before Parliament:**
    - Every proclamation should be presented **before each House of Parliament promptly, ensuring parliamentary oversight** within the **stipulated two months.**
  - ✓ **Incorporating Safeguards:**
    - Safeguards **similar to those in clauses (7) and (8) of Article 352** should be integrated into Article 356, allowing Parliament to review the continuance of a proclamation.
- **Public Feedback:**
  - ✓ Seeking public opinions, suggestions, and criticisms to ensure a **comprehensive and democratic decision-making process.**
  - ✓ Emphasizing that the **suggestions provided are provisional and subject to public debate** and scrutiny.
- **Final Recommendations:**
  - ✓ Understanding that the final recommendations will be made after **thorough consideration of all responses, balancing societal and national interests** in line with constitutional values.



## DRAFT CLIMATE DEAL FAILS TO 'PHASE OUT' FOSSIL FUEL

SOURCE: [THE HINDU](#)

### WHY IN NEWS?

- **Ongoing Climate Talks in Dubai:**
  - ✓ The subject is under **discussion at the COP-28 climatetalks in Dubai.**
  - ✓ Global attention on **potential agreements and shifts in climate policies.**
- **Anticipation of Fossil Fuel Phase-Out:**
  - ✓ Expectations that negotiators might agree to a **'phaseout' of fossil fuels, creating anticipation.**
- **Changes in the Latest Draft:**
  - ✓ The latest publicly **available draft eliminates the phrase 'phase out.'**
  - ✓ Introduces stronger language **against coal but with potential objections from major consumers.**



### COP28 FOSSIL FUEL LANGUAGE DEBATE: KEY HIGHLIGHTS

- **Expectations vs. Edits:**
  - ✓ Anticipated fossil fuel "phase-out" in Dubai's climatetalks.
  - ✓ Recent draft **omits the term but accentuates action against coal.**
- **Coal Emphasis:**
  - ✓ Strong recommendation for **"rapidly phasing down unabated coal."**
  - ✓ Potential objections from **major coal consumers like India, Indonesia, and China.**
- **Fossil Fuel Reduction Targets:**
  - ✓ Call to **"reduce both consumption and production" for net zero by 2050.**
  - ✓ Aligned with climate science to **cap temperature increase below 1.5°C.**
- **Emission Landscape:**
  - ✓ Fossil fuels **contribute 80% of greenhouse gas emissions.**
  - ✓ **Coal constitutes about 40%,** with oil and gas making up the rest.
- **Changes in Global Stock take Text:**
  - ✓ Shift from **explicit phase-out language** to a vague commitment.
  - ✓ Criticism for yielding to fossil fuel industry influence.
- **Call for Transformation:**
  - ✓ Acknowledgment of a pivotal moment at COP, marking change.
  - ✓ Commencement of **the end for the fossil fuel era,** navigating diverse national interests.



### IMPACT OF FOSSIL FUEL PHASE OUT:

- **Petrostate Venue Influence:**
  - ✓ Observers note the **impact of hosting in an oil-producing nation.** Significance as the **first COP including "fossil fuel"** in the draft.
- **Compromise and Progression:**
  - ✓ Viewed as **compromise amid opposing nations like Saudi Arabia.** Initial step toward concluding the fossil fuel era.
  - ✓ **May not satisfy the demands of over 100 countries** calling for such action.



- **Lobbying's Global Impact:**
  - ✓ Perception of fossil fuel industry **lobbying influencing policies**. Raises questions about **favouring prolonged fossil fuel use**.
- **Green House Gas Emissions:**
  - ✓ **Carbon Dioxide (CO<sub>2</sub>):**
    - Burning fossil fuels is the **largest single source of global CO<sub>2</sub> emissions**.
    - CO<sub>2</sub> is **amajor greenhouse gas that contributes** to the warming of the Earth's atmosphere.
  - ✓ **Methane (CH<sub>4</sub>) and Nitrous Oxide (N<sub>2</sub>O):**
    - Fossil fuel extraction, **processing, and combustion also release methane and nitrous oxide**, both potent greenhouse gases with a much higher warming potential than CO<sub>2</sub>.
- **Global Warming:**
  - ✓ The accumulation of greenhouse gases in the **atmosphere traps heat**, leading to global warming.
  - ✓ This **warming contributes to climate change**, resulting in **shifts in weather patterns**, more frequent and severe **heatwaves, and rising global temperatures**.
- **Sea Level Rise:**
  - ✓ The warming of the planet causes thermal **expansion of seawater and the melting of glaciers** and polar icecaps.
  - ✓ This results in **rising sea levels, which pose a threat to coastal communities** and ecosystems.
- **Extreme Weather Events:**
  - ✓ **Increased concentrations of greenhouse gases** intensify extreme weather events, including **hurricanes, droughts, floods, and wildfires**.
  - ✓ These events have **devastating impacts on communities, agriculture, and ecosystems**.

#### REASONS AND CHALLENGES:

- **Concerns and Reality Check:**
  - ✓ Critics express disappointment in regression from explicit phase-out language.
  - ✓ **Challenges in emission reduction** amid yearly increases.
- **Influences:**
  - ✓ The influence of a petrostate hosting the conference, as well as **lobbying from fossil fuel industries**, is cited as a **factor influencing the wording of the text**.
  - ✓ While the draft recognizes the **need for reductions in fossil fuel consumption and production**, the **absence of a clear phase-out commitment** poses a challenge to achieving **substantial progress** in combating climate change.
- **Deadlock in Global Goal on Adaptation (GGA) Track:**
  - ✓ **GGA Significance:** Parallel track to GST, seeking adaptation **goals equivalent to the 1.5-degree target**.
  - ✓ **Stalemate:** Deadlocked **negotiations persist**.
  - ✓ **Developing Countries' Demand:** Emphasize a **'global goal' on adaptation** similar to other climate targets.
- **Challenges in GGA Draft:**
  - ✓ **Draft Contents:** Identifies **global adaptation objectives, emphasizing climate-resilient food production** and addressing water scarcity.







- ✓ **Lack of Provision: Absence of financial commitments** raises concerns for developing nations.  
**Differentiation**
- ✓ **Concerns:** Developing countries highlight **insufficient differentiation in responsibilities** between developed and developing nations.

**WAY FORWARD:**

- Despite criticism, some view the **draft as laying the groundwork for change**, marking the first time the term "**fossil fuel**" is included in the **draft decision**.
- The ongoing negotiations will **need to address concerns raised by various countries and strive to find common ground** to finalize an **agreement that reflects the urgency of addressing climate change**.
- Observers stress the **importance of maintaining high ambitions**, especially in the context of fossil fuel language, **to secure a strong and effective outcome from COP28**.





## PRELIMS POINTERS:

TOPIC	DISCRIPTION
National Programme for Dairy Development	<p><b>WHY IN NEWS?</b></p> <ul style="list-style-type: none"> <li>❖ The Department of Animal Husbandry and Dairying in India is implementing the <b>National Programme for Dairy Development (NPDD)</b> since Feb 2014.</li> <li>❖ In July 2021, the scheme was restructured with a budget of <b>Rs. 1790 crore</b> for <b>2021-22 to 2025-26</b>, focusing on infrastructure for quality milk, procurement, processing, and marketing.</li> </ul>
	<p><b>OBJECTIVE</b></p> <ul style="list-style-type: none"> <li>❖ Enhance the <b>dairy sector in India</b> by <b>creating and strengthening infrastructure</b> for quality milk production, procurement, processing, and marketing.</li> </ul>
	<p><b>ABOUT SCHEME</b></p> <ul style="list-style-type: none"> <li>❖ The scheme has <b>two components</b>: <ul style="list-style-type: none"> <li>☛ Component 'A' for infrastructure development, and Component 'B' for dairying through cooperatives.</li> </ul> </li> <li>❖ <b>Under Component 'A'</b>: <ul style="list-style-type: none"> <li>☛ <b>195 projects in 30 States/UTs have been approved</b>, with Rs. 1824.60 crore released and Rs. 1429.62 crore utilized.</li> <li>☛ Focus on infrastructure development, including quality milk testing equipment and primary chilling facilities.</li> </ul> </li> <li>❖ <b>Under Component 'B'</b>: <ul style="list-style-type: none"> <li>☛ 22 projects in 8 States have been approved, with <b>Rs. 84.02 crore</b> released to the National Dairy Development Board.</li> <li>☛ Aims to <b>increase sales of milk and milk products</b>, upgrade dairy processing facilities, and enhance marketing infrastructure.</li> <li>☛ <b>In 2023-24, Rs. 345.93 crore has been allocated for both components.</b></li> </ul> </li> </ul>
	<p><b>ACHIEVEMENTS</b></p> <ul style="list-style-type: none"> <li>❖ <b>Dairy Cooperative Societies</b>: <ul style="list-style-type: none"> <li>☛ Organized/revived 16,794.</li> </ul> </li> <li>❖ <b>Automatic Milk Collection Units</b>: <ul style="list-style-type: none"> <li>☛ Installed 30,066.</li> </ul> </li> <li>❖ <b>Dairy Plants</b>: <ul style="list-style-type: none"> <li>☛ Strengthened 82.</li> </ul> </li> <li>❖ <b>Additional Milk Processing Capacity</b>: <ul style="list-style-type: none"> <li>☛ 24.00 lakh litres per day.</li> </ul> </li> <li>❖ These achievements reflect the <b>successful implementation of NPDD</b>, including approval and <b>funding for projects in Components A and B</b>, as well as notable progress in <b>organizing dairy cooperative societies</b>, installing <b>advanced milk collection units</b>, and <b>enhancing milk processing capacity</b> in dairy plants.</li> </ul>





## mummified baboons

### WHY IN NEWS?

- ❖ A **century-long mystery** regarding **mummified baboons found in Egypt** has been solved.
- ❖ Scientists, led by **Gisela Kopp**, used **mitochondrial DNA to trace the baboons to Adulis in Eritrea**, suggesting a link between **Adulis and the ancient trading centre of Punt**.

### ABOUT MUMMIFIED BABOONS

#### ❖ Discovery:

- ☛ In 1905, mummified baboons were found in **Gabbanat el-Qurud, Egypt, posing a mystery**.

#### ❖ Recent Study:

- ☛ **Mitochondrial DNA analysis connected the baboons to Adulis**, shedding light on the potential location of Punt.

#### ❖ Mitochondrial DNA:

- ☛ Precise analysis of **baboon DNA traced their ancestry and identified their origin**.

#### ❖ Trade Routes:

- ☛ The study highlighted **historical trade relationships and the Red Sea's significance**.



### IMPLICATIONS

#### ❖ Historical Significance:

- ☛ Contributes to **understanding historical trade routes and civilizations' relationships**.

#### ❖ Geographical Understanding:

- ☛ **Clarifies the geographical link between Punt and Adulis**.

#### ❖ Technological Advancement:

- ☛ Demonstrates the **potential of ancient DNA studies** in unraveling historical mysteries.

## Places in News 'Zanzibar'

### WHY IN NEWS?

- ❖ IIT-Madras has established its **first international campus in Zanzibar, a Tanzanian province**.
- ❖ Zanzibar's historical ties with India, **dating back to the 16th century**, make it a **significant location for the premier engineering institute's expansion**.

### LOCATION OF ZANZIBAR

#### ❖ Geographical Context:

- ☛ Zanzibar is a **semi-autonomous province on the East coast of Africa, forming part of Tanzania**.
- ☛ Zanzibar, **situated in the Indian Ocean**, is off the **east-central coast of Africa**.
- ☛ In 1964, **Zanzibar, along with Pemba Island and other smaller islands**, united to establish the **United Republic of Tanzania**.



- ☛ Its location on the **Indian Ocean trade routes** made **Zanzibar accessible to traders** and colonists from Arabia, South Asia, and the African mainland.
- ☛ Zanzibar and Pemba are believed to have been **part of the African continent in the past**, evident from **raised sands, sandstones, and residual deposits** similar to those on the African mainland.
- ☛ The islands **feature geological similarities**, such as raised sands and sandstones, with **alluvial deposits** found on the adjacent African mainland.



#### HISTORICAL LINKS WITH INDIA

- ☛ Indians have a **long-standing presence in Zanzibar**, with historical trade links dating back to **at least the first millennium CE**.
- ❖ **Indian Diaspora:**
  - ☛ Zanzibar attracted a **prosperous Indian diaspora engaged in trade**, politically active, and enjoying racial privileges.
  - ☛ The migration intensified in **1648 when Zanzibar became an overseas territory of Oman**.
- ❖ **Omani Influence:**
  - ☛ In 1840, **Omani ruler Said bin Sultan shifted his capital to Zanzibar**, encouraging Indian migration by offering tax-free trade, protection, and incentives.

#### IIT-MADRAS EXPANSION

- ❖ **Historical Ties Influence:**
  - ☛ The establishment of **IIT-Madras's first international campus in Zanzibar** is influenced by the **historical ties between India and Zanzibar**.
- ❖ **Educational Collaboration:**
  - ☛ The expansion signifies educational collaboration and **the global outreach of premier Indian institutions**.
- ❖ **Strategic Location:**
  - ☛ **Zanzibar's strategic location on the East coast of Africa adds significance to its role** as the first home abroad for IIT-Madras.