

## **EVERYDAY CURRENT AFFAIRS – AUGUST 5, 2019**

### **STATES**

#### **◆ Police personnel in Kerala - are currently being trained under the new riot-control drill**

- ✓ Under the new design, a new protocol for lathicharge will be put in place
- ✓ It will direct police to target the limbs of the agitating public with an intention only to temporarily disable them
- ✓ It means, police will no longer use lathi blows on the head and other vital body parts to disperse a protesting or rioting mob
- ✓ The new drill protocol suggests police to target hands and legs of agitators and not other body parts
- ✓ The present lathi drill, which is being practised on the public by the police, was devised in 1931 by the British police for suppressing the freedom movement.
- ✓ It trains the police to attack the agitators on head, neck, face and abdomen, causing heavy casualties.
- ✓ The cruel method, which is not in tune with basic human rights concepts, is set to be abandoned by the Kerala state police

### **NATIONAL**

#### **◆ Union Home Minister Amit Shah - introduced two resolutions and a Bill in the Indian Parliament on August 4**

- ✓ Also, President Ram Nath Kovind issued an order that effectively removes Article 35A of the Jammu and Kashmir Constitution
- ✓ Article 35A gives the state the power to define permanent residents of the territory and accord them special rights and privileges, including the right to own land there
- ✓ It also amends Article 367 of the Constitution, effectively giving more powers to the Governor – rather than an elected government

- ✓ The Article 370 resolution
  - ✓ The first resolution recommends that the President issue another order revoking all the clauses of Article 370 – which grants special status to Jammu & Kashmir in India – and makes it ‘on par’ with the rest of India
  - ✓ With the removal of Article 370, Article 35A will be also scrapped, which means people from other states may also buy or purchase land and settle there
- ✓ The reorganization resolution of J&K
  - ✓ The second resolution relates to reorganising the state into a Union Territory, for which a bill has also been moved
- ✓ J&K Reorganisation bill
  - ✓ The bill, titled the Jammu and Kashmir Reorganisation Bill, seeks to convert Jammu and Kashmir into two union territories (UTs) - Ladakh and Jammu & Kashmir.
  - ✓ Henceforth, Jammu & Kashmir is not a State, but a Union Territory with Legislature while Ladakh becomes a Union Territory without legislature.
  - ✓ There will be two Lieutenant Governors when this provision will come into the force

Headline: **No Article 370: What Changes in J&K?**

Before	Now
Special powers exercised by J&K	No special powers now
Dual citizenship	Single citizenship
Separate flag for Jammu & Kashmir	Tricolour will be the only flag
Article 356 not applicable	Article 356 applicable
Article 360 (Financial Emergency) not applicable	Article 360 will be applicable
No reservation for minorities	Minorities will be eligible for reservation
Indian citizens from other states cannot buy land or property in J&K	People from other states will now be able to purchase land or property in J&K
RTI not applicable	RTI will be applicable
Duration of Legislative Assembly for 6 years	Assembly duration in Union Territory of J&K will be for 5 years

- ✓ With this move, there are now 9 Union Territories and 28 States in India
- ✓ The decision came after President Ram Nath Kovind issued Government Order in Jammu and Kashmir Gazette, scraping Article 370, except Clause 1 which states that J&K is a part of India
- ✓ The bifurcation of J&K into two union territories indicates that there will be no separate elections hereafter and any amendment won't need the approval of Kashmir Assembly too
- ✓ The temporary provision of J&K was included in the Indian constitution on 17 October, 1949.

- ✓ The special status of J&K was conferred in 1947, when Maharaja Hari Singh of the then colonized state of Jammu & Kashmir signed a Treaty of Accession to join the Indian side



- ✓ Meanwhile, Article 35A was added to the constitution in 1954 under Article 370
- ✓ It gives the state of Jammu & Kashmir the right to decide who its permanent residents are apart from providing rights to its people in government jobs, educational benefits and property rights

## DEFENCE

- ◆ **DRDO (Defence Research and Development Organisation) - successfully flight tested Quick Reaction Surface to Air Missile (QRSAM) air defence system at Balasore flight test range at Chandipur, Odisha on August 4**



- ✓ Two missiles were tested against two live targets meeting complete mission objectives of engaging the targets
- ✓ The all-weather and all-terrain QRSAM system has been developed for the Army, with search and track on the move capability having a very short reaction time
- ✓ The systems are equipped with indigenously-developed phased array radar, inertial navigation system, data link and RF seeker
- ✓ QRSAM uses solid-fuel propellant and has a range of 25-30 km
- ✓ The first trial of the quick reaction surface-to-air missiles was conducted on June 4, 2017, and on February 26, 2019, two rounds of trials were successfully carried out

## SPORTS

- ◆ **Satwiksairaj Rankireddy (Andhra Pradesh) and Chirag Shetty (Maharashtra) – created history by becoming first men's doubles pair from the nation to win the BWF Super-500 Tournament.**



- ✓ The World No. 16 pair have stunned reigning world champions Li Jun Hui and Liu Yu Chen of China at the Huamark Indoor Stadium in Bangkok to win the Thailand open badminton championships
- ✓ It was a revenge win for the Indians, who had lost to the World champions at the Australian Open early this year.
- ✓ The magnificent effort will help them to break into the top-10 of the world rankings, thereby making them the first Indian men's team to reach there

◆ **Indian Wrestling sensation, Vinesh Phogat - has bagged her third consecutive gold in women's 53kg category after winning the Poland Open wrestling tournament in Warsaw**

- ✓ The 24-year-old defeated 3-2 over local wrestler Roksana in the final.



- ✓ She had earlier won the Grand Prix of Spain and at the Yasar Dogu International at Istanbul last month

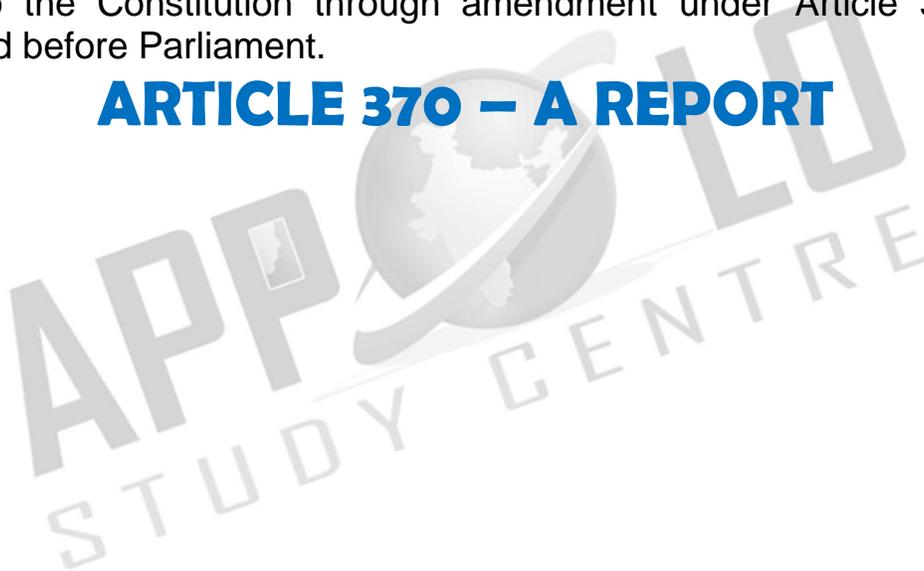
## **ARTICLE 35 A - REPORT**

◆ **Article 35A of the Indian Constitution confers powers to J&K legislature to define state's "permanent residents" and their special rights and privileges.**

- ✓ It was added to the Indian Constitution (Appendix II) through a Presidential order - The Constitution (Application to Jammu and Kashmir) Order, 1954 instead of a parliamentary amendment under Article 368.
- ✓ The order was issued by the then President Rajendra Prasad on May 14, 1954 in exercise of the powers conferred by clause (1) of Article 370.
- ✓ Article 35A is based on Article 370, a temporary and transitional provision that was included in the Indian Constitution, on the terms negotiated between J&K's Sheikh Abdullah and the Centre then led by Jawaharlal Nehru in 1949.
- ✓ Article 370 guarantees special status to Jammu & Kashmir, restricting the Union's legislative powers to just three areas — defence, foreign affairs and communications
- ✓ The law related to Permanent Residency in J&K Constitution (framed in 1956) is drawn from the state subject laws introduced by Maharaja Hari Singh in 1927 during the Dogra rule.

- ✓ The Permanent Residency laws of J&K are based on Maharaja Hari Singh's two notifications issued in 1927 and 1932, which defined state subjects and their rights.
- ✓ J&K defines its permanent residents as "all persons born or settled within the state before 1911 or after having lawfully acquired immovable property and residence in the state for not less than 10 years or prior to that date".
- ✓ The law prohibits non-permanent residents from settling permanently in the state, acquiring immovable property, government jobs and aid.
- ✓ However, the law disqualified women from their state subject rights if they married non-permanent residents.
- ✓ But in a landmark judgment in October 2002, the J&K high court held that women married to non-permanent residents will not lose their rights.
- ✓ Article 35A has been a subject of public debate and controversy ever since it was challenged in the Supreme Court in 2014 on the grounds that it was not added to the Constitution through amendment under Article 368 and never presented before Parliament.

## **ARTICLE 370 – A REPORT**



# REVOKING ARTICLE 370



## BEFORE

- Special powers exercised by J&K
- Dual citizenship
- Separate flag for Jammu & Kashmir
- Article 360 (Financial Emergency) not applicable
- No reservation for minorities such as Hindus and Sikhs
- Indian citizens from other states cannot buy land or property in J&K
- RTI not applicable
- Duration of Legislative Assembly for 6 years
- If a woman from J&K marries out of state, she would lose the citizenship of the state
- Panchayats did not have any rights
- Right to Education (RTE) was not applicable

## NOW

- No special powers now
- Single citizenship
- Tricolour will be the only flag
- Article 360 will be applicable
- Minorities will be eligible for 16% reservation
- People from other states will now be able to purchase land or property in J&K
- RTI will be applicable
- Assembly duration in Union Territory of J&K will be for 5 years
- If a woman marries out of state or country, she will still retain all her rights and Indian citizenship
- Panchayats will have the same rights as in other states
- Children in the state will benefit from RTE

# A BRIEF HISTORY OF Art-370

Article 370 of the constitution is a law that grants a special autonomous status to Jammu and Kashmir. It means:

● *Except for defence, foreign affairs and communication, all other laws passed by the Indian Parliament need to be okayed by the state government before they are made applicable. This was specified in the instrument of accession signed by Maharaja Hari Singh when he agreed to join the Union of India in 1947, instead of going with Pakistan.*

● *As a result of this, the citizens of Jammu and Kashmir are governed by state-specific laws which come under the Constitution of Jammu and Kashmir, instead of those for the rest of India, especially where citizenship, ownership of property and some fundamental rights are concerned.*

● *The first Article of the Constitution of Jammu and Kashmir says that the state is and will remain an integral part of India.*

● *This article, along with Article 5 that defines the contours of jurisdiction of the Indian Parliament*

*regarding law-making for the state, cannot be amended.*

● *The 1952 Delhi Agreement also specified that the State should have its own flag in addition to the union flag and they should have same status.*

● *It was agreed that head of State called Sadr-e-Riyasat (or the Prime Minister) was to be elected by the State legislatures.*

● *The agreement opposed imposition of Article 352, empowering the President to proclaim general emergency in the State.*

● *This arrangement was further ratified by the 1974 agreement between the then Prime Minister Indira Gandhi and the Leader of J&K, Sheikh Abdullah.*

● *The state legislature has a six-year term, unlike other elected bodies, which have a five-year period, including Parliament.*

