

All-Inclusive Current Affairs for Prelims 2023

Polity Class-9

Members of Parliament
Local Area Development Scheme

MPLADS

Central Sector Scheme (fully funded by Centre)



MOSPI
Frames policy
Releases funds
Monitors implementation

MOSPI



MP recommends works to Collector



District Admin.
Must give sanction within 75 days.
Responsible for sanction and execution

THE HINDU

Explained | The new rules for utilisation of funds under MPLADS

PREMIUM

The Centre has revised the procedure dealing with the flow of funds under central sector schemes, including the MP Local Area Development Scheme, or MPLADS. As per the revised norms, MPs will no longer be able to use interest accrued on the fund for development projects.

May 13, 2022 03:18 pm | Updated 03:18 pm IST

MP	Recommend project in
Lok Sabha	Constituency from which he was elected
Rajya Sabha	State from which he was elected
Nominated MP	Anywhere in India / Chose any one state

Started in 1993

- during tenure of **PV Narasimha Rao** (1991-1996)
- Initially nodal ministry was **Ministry of Rural Development**, later changed to **MOSPI** in 1994

Prelims 2020 With reference to the funds under **MPLADS**, which of the following statements are correct?

1. MPLADS funds must be used to create **durable assets** like physical infrastructure for health, education, etc
2. A specified portion of each MP's fund must benefit **SC/ST** populations
3. MPLADS funds are sanctioned on yearly basis and unused funds cannot be carried forward to next year.
4. The district authority must **inspect at least 10%** of all works under implementation every year.

Select the correct answer using the code given below:

- (a) 1 and 2 only (b) 3 and 4 only (c) 1, 2 and 3 only (d) **1, 2 and 4 only**

Use of funds

As per Mospi guidelines, MPLAD funds can also be used for MNREGA work, Swachh Bharat Abhiyan, PwDs Accessible India Campaign (Sugamya Bharat Abhiyan), rain water harvesting, Sansad Aadarsh Gram Yojana, etc.

Funds for SC and ST

- **15%** funds must be spent on SC areas; **7.5%** funds must be spent on ST areas.
- If constituency does not have SC area, then spend funds on ST area, and vice-versa.
- If there is no SC and ST area in constituency, then spend funds on any SC/ST area within that state.

Funds are non-lapsable, i.e. carried over to next year if unused (even when the MP changes)
But now interest accumulated on the funds will be transferred to Centre.

Release of funds

- Funds are **not given to MP**. Funds are given to district administration as grants-in-aid
- **Rs 5 lakh** in 1993, which gradually increased to **Rs 5 crore** per year since 2011
- Funds are released in **two instalments** of Rs 2.5 crore each

Restrictions on funds

- Not more than **Rs 50 lakh** can be spent on any **particular trust/society**.
- Can funds be utilized **outside** Constituency/State? **Yes** (up to Rs 25 lakh/year)
- Can funds be spend on **recurring expenditure**? **No** (All revenue and recurring expenditure is prohibited)

2021 News MPLAD scheme was suspended during April 2020 to November 2021
Centre said that it wanted money to fight covid

2022 News Interest accrued will now be sent to Centre (deposited in Consolidated Fund of India)
Earlier the interest was added to MPLAD account, so that it could be used further.

I read I forget, I see I remember

See explanation of this PDF on **YouTube** www.youtube.com/c/allinclusiveias

For river water disputes see [Class-5 pg-52](#)
 Timestamp for Hindi video - 31:03
 Timestamp for English video - 31:33



Sutlej Yamuna link canal

121 km in Punjab and **90 km** in Haryana
 Haryana portion of the canal is complete.
 Punjab portion was to be completed by 1991.
 Punjab says that SYL canal is against riparian principle.
 (Water belongs to State/country through which river flows)

1951	1961	1971	1981	1991	2001	2011
1952	1962	1972	1982	1992	2002	2012
1953	1963	1973	1983	1993	2003	2013
1954	1964	1974	1984	1994	2004	2014
1955	1965	1975	1985	1995	2005	2015
1956	1966	1976	1986	1996	2006	2016
1957	1967	1977	1987	1997	2007	2017
1958	1968	1978	1988	1998	2008	2018
1959	1969	1979	1989	1999	2009	2019
1960	1970	1980	1990	2000	2010	2020

Yamuna forms border between Haryana & UP

- 1966 Haryana carved out of Punjab under Punjab Reorganisation Act, 1966
- 1981 River water-sharing treaty signed by Punjab, Haryana, Rajasthan
- 1986 Eradi Tribunal (Ravi & Beas Waters Tribunal) was set up to reassess availability and sharing of water.
- 1990 Work stopped after killing of senior officials
- 1996 Haryana approached SC to direct completion of canal
- 2004 SC directed Centre to complete canal work
- 2004 Punjab brought law (Punjab Termination of Agreements Act, 2004) to terminate 1981 agreement
- 2004 Presidential reference (Article 143) filed on constitutional validity of 2004 law
- 2016 SC gave opinion that 2004 law is not in accordance with Constitution

Satluj / Sutlej	Sanskrit - Shatudri / Shatadru Ancient Greek - Zaradros
Source	Manasarovar-Rakas Lakes (Tibet, China)
States	Himachal Pradesh, Punjab
Dams/ Barrages	Bhakra Nangal, Harike, Luhri, Karcham Wangtoo, Nathpa Jhakri

- Harike Wetland/Lake/Barrage (Punjab)**
- It is at the confluence of Beas and Sutlej
 - It channels water into Indira Gandhi Canal
 - It is a manmade wetland, formed in 1953
 - It is a Ramsar site since 1990

Prelims 2021 With reference to the Indus river system, of the following four rivers, three of them pour into one of them which joins the Indus direct. Among the following which is one is such river that joins the Indus direct?
 (a) Chenab (b) Jhelum (c) Ravi (d) Sutlej



Panjnad River (Panch + nadi)
 Jhelum, Chenab, Ravi, Beas, Sutlej
 Sutlej is longest of them all.

AFSPA

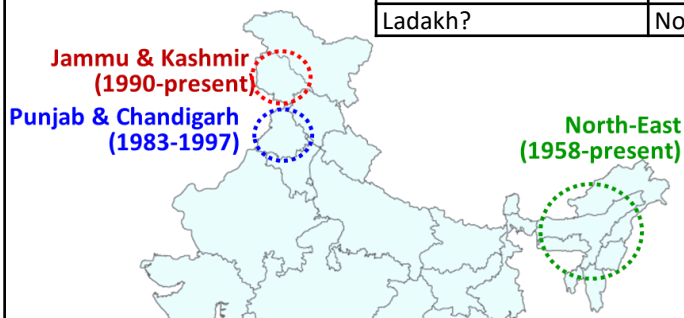
North-East (some areas)	1958-present
Punjab & Chandigarh	1983-1997
Jammu & Kashmir	1990-present
All states of North-east?	No
Ladakh?	No

In force in parts of

Arunachal Pradesh,
Nagaland, Manipur,
Assam, J&K

Withdrawn

1997 Punjab
2015 Tripura
2018 Meghalaya



- 1942** AFSPA Ordinance on 15-08-1942 to suppress Quit India Movement
- 1947** In some areas to control violence
- 1958** AFSP (Assam and Manipur) Act, 1958 (for many regions of North-East)
- 1983** AFSP (Punjab & Chandigarh) Act, 1983 withdrawn in 1997
- 1990** AFSP (Jammu & Kashmir) Act, 1990

Constitutional basis of AFSPA

Article 355 Duty of Union to protect States against external aggression & internal disturbance.

Disturbed area

- It is notified by **Centre, Governor, Administrator** of UT (depending on the law)
- Armed forces get special powers and immunity

Powers

- Search without warrant
- Arrest suspicious people without warrant
- Fire upon any person acting in contravention of any law
- Destroy any structure from which armed attacks could be made
- Personnel have legal immunity for their actions. (Prosecution needs Centre's sanction)

Guidelines issued by Army

- Arrested people must be handed over to civil authorities within 24 hours
- Fire must be opened only when source of militant fire can be clearly identified

National Human Rights Commission

- On complaints of violation of rights by Armed forces, NHRC can seek report from Centre
- It can give (non-binding) recommendations. Within 3 months, Centre will inform of action taken.

Supreme Court in a 2016 case

- Every death caused by the armed forces in a disturbed area should be thoroughly enquired.

Justice J.S. Verma Committee 2013

 (formed after 2012 Delhi gangrape)

- There is an urgent need to review AFSPA
- Sexual violence by armed forces must be brought under purview of ordinary criminal law.

Nagaland

Capital: Kohima, Largest city: Dimapur

It became 16th state of India on 01-12-1963 (carved out of Assam by State of Nagaland Act, 1962)

It shares border with: Arunachal, Assam, Manipur, Myanmar (see May magazine pg-21)

- ❑ Nagas are not a single tribe, but an ethnic community, comprising several tribes
- ❑ Key demands Greater Nagalim; Naga Yezabo (Constitution); Naga national flag

Background

 (not important for Prelims)

- ❑ **1946**: A. Z. Phizo formed Naga National Council (NNC); declared independence on 14-08-1947
- ❑ **1958**: AFSPA enacted. Govt. sent army to crush insurgency
- ❑ **1975**: Shillong Accord. Some NNC leaders gave up arms.
- ❑ **1980**: National Socialist Council of Nagaland (NSCN) formed under Muivah
- ❑ **1988**: NSCN split into NSCN (Isak-Muivah)/(IM) and NSCN (Khaplang)/(K).
- ❑ **1997**: Ceasefire agreement of govt. with NSCN(IM).
- ❑ **2015**: NSCN(IM) agreed for settlement within Indian federation (but some issues remains)

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Public Interest Litigation

PIL

Concept originated in USA
aka Social Action Litigation

- ❑ Litigation in SC and HCs to secure public interest
- ❑ It is an example of judicial activism
- ❑ It relaxes the rule of locus standi

Locus standi- petitioner must be directly/indirectly affected by defendant.

Its absence allows public minded citizens (NGOs, lawyers, etc) to seek justice for those who can't approach courts themselves.

Constitutional basis of PIL? Article 32 & 226

People have right to move SC and HCs against violation of rights

However, PIL is not defined in any article of Constitution or law

Article 39A (DPSP) Equal justice and free legal aid

Legal system must promote justice on the basis of equal opportunity and provide free legal aid to ensure that justice is not denied due to economic or other disabilities.

Article 39A was inserted by 42nd amendment 1976

Prelims 2008 Consider the following statements:

1. Justice V.R. Krishna Iyer was a Chief Justice of India.
2. Justice V.R. Krishna Iyer is considered as one of the progenitors of PIL in the Indian Judicial System.

Which of the statements given above are correct?

- (a) 1 only **(b) 2 only** (c) Both 1 and 2 (d) Neither 1 nor 2

V. R. Krishna Iyer (1915-2014)

- SC judge during 1973-1980
- Member of Law Commission during 1971-1973
- Autobiography- *Wandering in Many Worlds*

P. N. Bhagwati (1921-2017)

- 17th CJ during 1985-1986, SC judge during 1973-1986
- As Gujarat CJ, he twice acted as Governor (1967, 1973)
- Note: On Governor's death, President may appoint Chief Justice of that HC as Acting Governor.

Brief Background, not important for Prelims:

1976: Justice Krishna Iyer allowed unregistered workers to file writ petition u/a 32 (Mumbai Kamgar Sabha case)

1979 Hussainara Khatoon vs. Bihar case (First ever reported PIL)

- ❑ Newspapers published reports of undertrials in jail for more than the maximum punishment.
- ❑ Advocate Kapila Hingorani filed case in SC, before bench of Justice P N Bhagwati (father of PIL in India)
- ❑ 40,000 prisoners were subsequently released.

1980 Sunil Batra vs. Delhi Administration

- ❑ A prisoner of Tihar jail sent a piece of paper to Justice Krishna Iyer, describing physical torture of prisoners.
- ❑ Justice Krishna Iyer got it converted into a petition.

Note:



- ❖ Before 1979, only affected persons could approach the courts
- ❖ Justices PN Bhagwati and Krishna Iyer were among the first to admit PILs
- ❖ They did not insist on procedural technicalities and even ordinary letters were treated as writ petition
- ❖ Subsequently, PIL became the most important vehicle of judicial activism

Significance of PILs (don't learn, just understand)

- ❑ Makes judiciary more accessible
 - Public spirited citizens can file petition on behalf of those who cannot easily approach courts.
- ❑ Strengthens democracy
 - Court mandated election candidates to file affidavit about their income, assets, education, etc.
- ❑ Ensures accountability of public authorities
 - Prison officials misusing their powers, to torture inmates taken up in Sunil Batra case 1980
- ❑ Social justice for weaker sections
 - Free legal services to poor & needy is essential element of justice (Hussainara Khatoon case 1979)
- ❑ Protects Environment:
 - MC Mehta case 1987: SC brought principle of absolute liability (instead of strict liability)
 - (For absolute liability, see Mains class-40 pg-11)
- ❑ Fills void left by Executive:
 - Vishaka case 1997 on preventing sexual harassment at workplace. It led to enactment of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



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Frivolous PILs Should Be Nipped In Bud; They Encroach Judicial Time, Stall Development Activities : Supreme Court

LIVELAW NEWS NETWORK 4 June 2022 9:51 AM

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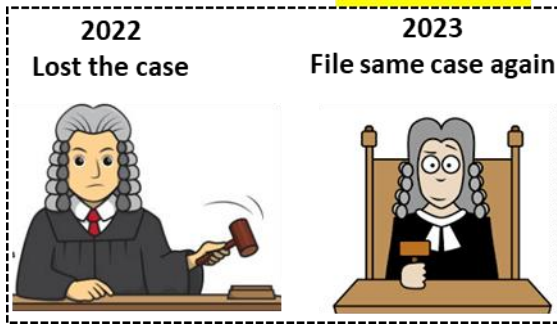
Delhi High Court Dismisses PIL Seeking Bar On Media For Reporting Mass Scale Deaths, Broadcasting Negative News In Wake Of Second Covid Wave

Nupur Thapliyal 3 May 2021 2:29 PM

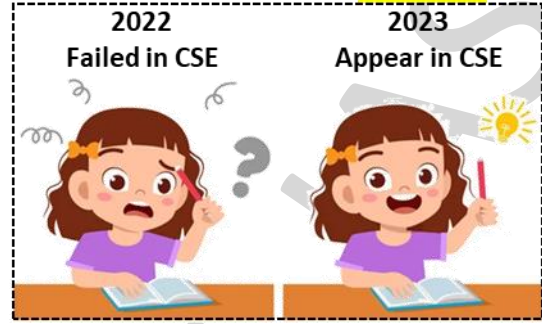
Res judicata

Res judicata = matter decided
aka Rule of Conclusiveness

Not Allowed



Allowed



Section-11 of Code of Civil Procedure, 1908

No court shall be allowed to try any suit involving of same parties with same question which has been tried by that court or any other court competent to try that suit earlier on merits

Example

Once a person is acquitted or convicted by court, he cannot once again be tried for same offence.

Note

Appeal against the judgement is allowed

Exceptions can be made (e.g. if some new facts emerge)

Article 20

Article 20. Protection in respect of conviction for offences.

- (1) No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the Act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.
- (2) No person shall be prosecuted and punished for the same offence more than once.
- (3) No person accused of any offence shall be compelled to be a witness against himself

Important info

- ❑ 20(1) - No retrospective operation of law
 - This limitation is only for criminal laws, and not for civil laws or tax laws
- ❑ 20(2) - Doctrine of double jeopardy
 - But action can be taken by court as well as department of corrupt officer
- ❑ 20(3) - Right to remain silent, Right against self-incrimination
 - But should not tell lies, must allow photo, provide DNA sample, etc

IMPORTANT MESSAGE !

Dear student,

- As announced on YouTube, this 2023 course is continuation of 2021/2022 course.
- You are strongly advised to see all videos of 2021/2022 (won't take much time).
- But if you wish to see only 2023 topics, their timestamp is given on website.
- 2023 topics not covered in 2021/2022 are being covered in this course.
- Please also see the two classes released for May 2022 magazine.
- All PDFs are free and available on website.
- All courses are available on new app/portal (links are given on <https://www.allinclusiveias.com/>)

Regards

Akshay Bansal

(Founder, All Inclusive IAS)