

EVA STALIN IAS ACADEMY – BEST IAS COACHING IN CHENNAI

12/24, Muthurangan Muthali St, West Tambaram, Chennai - 600045

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DAILY CURRENT AFFAIRS ANALYSIS

21 MAY 2022

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. No.	Topic Name	Prelims/Mains
1.	About National Green Tribunal	Prelims & Mains
2.	Details of the Article 142 of the Indian Constitution	Prelims & Mains
3.	Effect of Pollution on Human Rights	Prelims & Mains
4.	About the International Museum Day 2022	Prelims Specific Topic
5.	Details of Lumbini, the birth place of Gautam Buddha	Prelims Specific Topic

1 - About National Green Tribunal:

GS III

Environmental Conservation

- **Context:**

- Several parts of the National Green Tribunal Act were recently upheld by the Supreme Court.

- **What is the problem?**

- Certain parts of the National Green Tribunal Act were contested by the Madhya Pradesh High Court Advocates Bar Association.

- **What decision has the Supreme Court made?**

- In regards to Section 3 of the NGT Act, it is not an instance of the Central Government being given excessive power. The clause empowered the centre to establish the NGT. As a result, the NGT benches can be placed wherever they are needed, and they are not required to be in every state.
- Because the two are linked, the National Green Tribunal's jurisdiction under Sections 14 and 22 of the NGT Act does not prevent the High Court's authority under Articles 226 and 227 of the Constitution.

- **NGT Information:**

- The National Green Tribunal was established on October 18, 2010 under the National Green Tribunal Act 2010.
- Established for the effective and timely resolution of disputes involving environmental protection and forest and other natural resource conservation.

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- The Tribunal is not constrained by the procedure set forth in the Code of Civil Procedure, 1908, but rather by natural justice principles.
- The NGT is required to decide on petitions or appeals within six months of their filing.
- India became the third country in the world, after Australia and New Zealand, to establish a specialised environmental tribunal, and the first developing country to do so with the founding of the NGT.
- **Composition:**
- The act provides for up to 40 members to be sanctioned (20 expert members and 20 judicial members).
- Chairman: Is the tribunal's administrative head, as well as a judicial member who must be a serving or retired Chief Justice of a High Court or a Supreme Court of India judge.
- **Selection:**
- A selection committee (led by a sitting Supreme Court of India judge) analyses applications and conducts interviews to choose members.
- Applicants who are serving or former High Court judges are chosen as judicial members.
- Expert members are chosen from among applicants who are either serving or retired bureaucrats with a minimum of five years of administrative experience dealing with environmental issues and who are not below the rank of Additional Secretary to the Government of India (not below the rank of Principal Secretary if serving under a state government). Alternatively, experts must hold a doctorate in a related discipline.
- *Source → The Hindu*

2 - Details of the Article 142 of the Indian Constitution:

GS II

Indian Constitution

- **Context:**
- The Supreme Court has used its exceptional powers under Article 142 of the Constitution to order A.G. Perarivalan's release in the assassination case of former Prime Minister Rajiv Gandhi.
- **What made this necessary?**

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- After examining Perarivalan's nearly 30-year incarceration, the court ordered him release.
- Because of the long wait and the Governor's refusal to act on the pardon petition, the court used its constitutional rights.
- **What does Article 142 entail?**
- The Supreme Court has used its extraordinary powers under Article 142 of the Constitution multiple times, from the Union Carbide case in 1989 through the Ayodhya Ram Mandir ruling in 2019.
- Article 142 "delegates to the Supreme Court the only power to conduct "full justice" between the parties, i.e., when the law or statute does not provide a remedy, the Court can extend itself to put an end to a dispute in a manner that is appropriate to the facts of the case.
- **Why was it necessary for the Constituent Assembly to include Article 142?**
- The need of establishing such an article in the Constitution was emphasised by the Constituent Assembly.
- The authors of the Constitution considered that this article was crucial for people who are compelled to suffer as a result of the judicial system's inability to provide necessary remedies.
- **President's pardoning powers vs. Governor's pardoning powers:**
- The court rejected the Centre's claim that only the President, not the Governor, has the ability to give a pardon in a case under Section 302 of the Indian Penal Code (murder sentence).
- Because this reasoning would render Article 161 a "dead letter," resulting in a unique circumstance in which Governors' pardons in 70-year-old murder cases would be deemed worthless.
- *Source → The Hindu*

3 – Effect of Pollution on Human Rights:

GS III

Environmental Conservation

- **Context:**

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- The impact of rising pollution on human health in India was addressed in a recent Lancet Commission report on pollution and health.
- Following this, the National Human Rights Commission (NHRC) issued a recommendation to the Centre and State Governments on how to prevent, minimise, and mitigate the effects of environmental pollution and degradation on human rights.
- **Report highlights include:**
- **Findings particular to India:**
 - In India, air pollution was responsible for 16.7 lakh deaths in 2019, accounting for 17.8% of all deaths that year.
 - This country has the highest number of deaths due to air pollution.
 - PM2.5 pollution killed 9.8 lakh people, while home air pollution killed 6.1 lakh.
 - Sources of pollution linked to extreme poverty (including indoor air pollution and water contamination): This number has decreased, however it has been offset by an increase in mortality due to industrial pollutants (such as ambient air pollution and chemical pollution).
 - Worst-affected areas include: The Indo-Gangetic Plain has the worst air pollution. New Delhi and many of the most polluted cities are located in this region.
 - Causes: In India, domestic biomass burning was the leading cause of air pollution mortality, followed by coal combustion and crop burning.
 - Lead: It is estimated that 27.5 crore children have blood lead levels greater than 5 g/dL.
 - Between 2000 and 2019, India's economic losses due to modern kinds of pollution grew as a percentage of GDP. It is equivalent to 1% of GDP.
- **Findings in general:**
 - Air pollution is responsible for 66.7 lakh fatalities worldwide.
 - In 2019, pollution caused an estimated 90 lakh fatalities worldwide (equal to one in every six deaths).
 - Blood lead concentrations of more than 5 g/dL are expected to be present in more than 80 crore children.
 - Rising ambient air pollution, rising chemical pollution, ageing populations, and an increase in the number of persons exposed to pollution are all contributing factors.
 - The cost of fossil fuel air pollution is estimated to be around \$8 billion per day around the world.
- **India's efforts to address air pollution:**

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- **India has started:**

- Ujjwala Yojana, or Pradhan Mantri Ujjwala Yojana.
- Q Clean Air National Program
- The National Capital Region will have an Air Quality Management Commission in 2019.

- **Challenges to come:**

- There is no centralised administrative organisation guiding India's air pollution management efforts.
- The overall quality of the air has gradually and unevenly improved.

- **Source → The Hindu**

4 - About the International Museum Day 2022:

Prelims Specific Topic

- Every year on May 18th, it is commemorated.

- The Power of Museums is the theme for 2022.

- **Background:**

- The International Council of Museums established the Day in 1977. (ICOM).
- ICOM is a membership organisation and non-profit organisation that sets professional and ethical standards for museum activities.
- It is the only international museum organisation.
- Its headquarters are in Paris, France, and it was founded in 1946.
- It acts as a hub for museum personnel (more than 40,000 members in over 138 countries).
- The ICOM Red Lists of Cultural Objects in Danger are useful tools for preventing illegal cultural object trafficking.
- Article 49: Monuments, sites, and objects of artistic or historic interest that have been designated as national treasures must be protected.

- **Source → The Hindu**

5 - Details of Lumbini, the birth place of Gautam Buddha:

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Prelims Specific Topic

- Prime Minister Narendra Modi and his Nepalese counterpart Sher Bahadur Deuba laid the foundation stone for the India International Centre for Buddhist Culture and Heritage in Lumbini, Nepal, on the occasion of Buddha Jayanti on May 16.
- **Lumbini Information:**
 - Lumbini is in Nepal's Lumbini province's Rupandehi district.
 - The Shakya prince Siddhartha Gautam is said to have been born there.
 - It is known as a Pradimoksha-vana in Buddhist literature (sin-free forest).
 - Anjana, the Koliya clan's ruler, erected it for his queen Rupadevi or Rummindei.
 - Lumbini was said to be on a historic trade route that passed through Kapilavastu (current location unknown), Kushinagar (modern-day Uttar Pradesh), Vaishali, Pataliputra, Nalanda, and Rajgriha (all in modern-day Bihar).
- *Source → The Hindu*



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