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# CURRENT AFFAIRS

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## Constitution Day 2024

### Why in News?

On **Constitution Day, 26th November 2024**, the Prime Minister of India joined celebrations organized by the **Supreme Court of India**, marking 75 years since the adoption of the Indian Constitution. He emphasized the **Constitution as a living document** crucial for socio-economic progress and justice.

- The occasion also commemorated the victims of the **26/11 Mumbai attacks**, underscoring India's resilience.

What is Constitution Day?

- **About:** Constitution Day marks the adoption of the Indian Constitution on 26th November **1949**. It celebrates India's democratic values and promotes awareness of **justice, liberty, equality, and fraternity**.
  - In 2015, the **Ministry of Social Justice and Empowerment** declared 26th November as Constitution Day to deepen citizens' connection with the Constitution. Before 2015, 26th November was observed as **National Law Day**.
  - The day honours the **Constituent Assembly's** vision in drafting the Constitution and **Dr B.R. Ambedkar's** pivotal role as Chairman of the Drafting Committee, earning him the title "**Father of the Indian Constitution**."
- **Key Highlights of the Constitution Day 2024:**
  - **Constitution Day Celebrations in Jammu and Kashmir:** For the first time in 74 years, Jammu and Kashmir celebrated **Constitution Day**, following the abrogation of **Article 370 in 2019**.
    - The event symbolized a new chapter in the Union Territory's alignment with India's legal and political framework.
  - **Hamara Samvidhan, Hamara Samman:** The Minister of Labour and Employment participated in the "**Hamara Samvidhan, Hamara Samman**" campaign.
    - The "Hamara Samvidhan, Hamara Samman" campaign, launched on 24th January 2024, aims to deepen citizens' understanding of the Constitution and its role in shaping Indian society.
      - This is a year-long initiative promoting constitutional awareness, legal rights, and responsibilities.
    - The campaign includes regional events, workshops, and seminars, along with sub-campaigns like **Sabko Nyay, Har Ghar Nyay (justice for all), Nav Bharat, Nav Sankalp (new resolve for a new India)**, and **Vidhi Jagriti Abhiyaan (legal awareness)**.

- The campaign aligns with **India's vision for a developed nation by 2047**.
- **Women of India's Constituent Assembly:** The **President of India** highlighted the contributions of 15 women members in the Constituent Assembly, including **Sarojini Naidu, Sucheta Kripalani, and Vijaya Lakshmi Pandit**.
  - Lesser-known members like **Ammu Swaminathan, Annie Mascarene, Begum Qudsia Aizaz Rasul, and Dakshayani Velayudhan** were also recognized for shaping India's Constitution.
  - **Ammu Swaminathan:** From Kerala, she entered politics after witnessing social restrictions on widows. Advocated for gender equality through the **Hindu Code Bill**, enduring male-dominated ridicule in the Assembly.
  - **Annie Mascarene (1902-1963):** She campaigned for **universal adult franchise** against casteist opposition.
  - **Begum Qudsia Aizaz Rasul (1909-2001):** A member of the Muslim League, she opposed **religion-based electorates** despite complex views on Partition.
  - **Dakshayani Velayudhan (1912-1978):** The first Dalit woman graduate in science and the first Dalit woman in the Cochin Legislative Council. Opposed **separate electorates for Dalits**, emphasising nationalism.

What Makes the Indian Constitution a "Living Document"?

- **Amendability:** The **Indian Constitution can be amended** to address changing needs and circumstances. This flexibility allows it to evolve over time while maintaining its core principles.
  - **Provision for Amendments: Article 368 in Part XX** grants Parliament the power to amend the Constitution by addition, variation, or repeal of any provision, following the laid-down procedure.
    - Parliament cannot amend the '**basic structure**' of the **Constitution**, as ruled in the ***Kesavananda Bharati vs State of Kerala case, 1973*** by the Supreme Court.
  - **Types of Amendments:** Amendments to the Constitution can be made in 3 different ways, by a **simple majority of Parliament, by a special majority of Parliament, and special majority + state ratification for some amendments**.
    - Amendments under the simple majority category do not fall under Article 368.
- **Judicial Interpretation:** The judiciary, particularly the Supreme Court, plays a crucial role in interpreting the Constitution.

- Landmark judgments and evolving interpretations ensure that the Constitution remains relevant and responsive to contemporary issues.
- Courts have interpreted provisions to meet contemporary needs, such as recognising the **Right to Privacy as a Fundamental Right in the *K.S. Puttaswamy v. Union of India, 2017***
- **Federal Structure:** The federal structure of the Indian Constitution **balance of power** between the central and state governments, addressing regional needs and diversity.
  - **Article 246 outlines three lists in the Seventh Schedule: Union, State, and Concurrent.** The Centre legislates on the Union List, states on the State List, and both on the Concurrent List, with Union laws prevailing in case of conflict.
- **Hybrid Structure of the Constitution:** Certain provisions are rigid, protecting fundamental values like **federalism**, and **secularism**.
  - Other provisions, such as the **Directive Principles of State Policy (DPSP)**, allow for flexible adaptation to meet the welfare needs of society.
- **Responsive to Social Change:** The Constitution of India has provisions that allow it to respond to social changes, such as the inclusion of new laws to protect **marginalized communities and promote social justice**.
  - For example, the **89th Amendment Act of 2003** made the **National Commission for Scheduled Tribes (NCST)** a constitutional body under **Article 338A**, and the **National Commission for Scheduled Castes (NCSC)** a separate constitutional body under **Article 338**, enhancing their roles in creating a **more inclusive society**

What are the Key Facts about the Constitution of India?

- **Constituent Assembly:** The Constituent Assembly took nearly three years (2 years, 11 months, 17 days) to **draft the Constitution**. Initially, it had 389 members, with 292 elected from Provincial Legislative Assemblies, 93 from Princely States, and 4 from Chief Commissioners' Provinces.
  - However, following the **partition of India in 1947** and the creation of **Pakistan, a separate Constituent Assembly was formed for Pakistan**, reducing the membership of **India's Assembly to 299**.

**Important Committees of Constituent Assembly and Their Chairmen**

S. No	Name of Committee	Chairman
1	Committee on the Rules of Procedure	Rajendra Prasad
2	Steering Committee	Rajendra Prasad
3	Finance and Staff Committee	Rajendra Prasad
4	Credential Committee	Alladi Krishnaswami Ayyar
5	House Committee	B. Pattabhi Sitaramayya
6	Order of Business Committee	K.M. Munsi
7	Ad hoc Committee on the National Flag	Rajendra Prasad
8	Committee on the Functions of the Constituent Assembly	G.V. Mavalankar

- **Original Structure (1949):** Initially, it contained a **Preamble, 395 Articles (divided into 22 Parts), and 8 Schedules.**
  - **Current Structure:** It now includes a Preamble, more than 450 Articles (divided into 25 Parts), and 12 Schedules.
- **Amendments:** As of September 2024, there have been **106 amendments** of the Constitution of India since it was first enacted in 1950.
- **Length:** The Constitution of India is the **longhiest written Constitution** in the world.
  - It was handwritten by **Prem Behari Narain Raizada** in calligraphy, with pages decorated by artists from **Shantiniketan under Nandalal Bose’s guidance.**
- **Reason for Extensive Size:** The vastness and diversity of India have necessitated a detailed constitutional document.
  - The influence of the **Government of India Act of 1935**, which itself was a comprehensive document, has contributed to the Constitution’s size.
  - India’s single unified Constitution, which **governs both the central and state governments, also added to its size.**
  - The Constituent Assembly, led by legal experts, crafted a Constitution that is both thorough in **legal and administrative aspects**, encompassing fundamental governance principles as well as detailed administrative provisions.
  - Furthermore, the Constitution draws from various **global sources**, with provisions inspired by the **American, Irish, British, Canadian, Australian, German,** and other constitutions, reflecting the broader international influence on its design.

▪ **Criticisms of the Indian Constitution:**

<b>Criticism</b>	<b>Debunking</b>
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<b>Borrowed Constitution</b>	The framers adapted and modified borrowed features <b>to suit Indian conditions</b> , avoiding their faults.
<b>Carbon Copy of the Government of India Act, 1935</b>	While many provisions were borrowed, the Constitution is not a mere copy. It incorporates <b>significant changes</b> and additions.
<b>Un-Indian or Anti-Indian</b>	The Constitution <b>reflects Indian values</b> and aspirations, despite borrowing from foreign sources.
<b>Un-Gandhian</b>	While not explicitly Gandhian, the Constitution <b>aligns with many of Gandhi's principles, particularly in the DPSP.</b>
<b>Elephantine Size</b>	The Constitution's detailed nature is essential for managing India's diversity and complexity.
<b>Paradise of the Lawyers</b>	The legal language is essential for <b>clarity and enforceability.</b>

## Design Law Treaty (DLT)

Why in News?

Recently, the member states of the **World Intellectual Property Organization (WIPO)** including **India** adopted the **Design Law Treaty (DLT)** at the Diplomatic Conference to Conclude and Adopt the Design Law Treaty held in **Riyadh, Saudi Arabia**.

State of India's Intellectual Property

- **India's Innovation Ranking:** WIPO's **Global Innovation Index (GII) 2024** ranked India **39th among the 133 economies** featured in the GII 2024.
  - India ranked **1st** among the 10 economies in **Central and Southern Asia**.
- **India's Global IP Ranking:** India ranks in the **global top 10** for all three major intellectual property rights—**patents, trademarks, and industrial designs**.
  - India ranks **sixth globally** with **64,480 patent applications** in 2023.
  - India's trademark office holds the **second-largest number of active registrations worldwide** with **over 3.2 million trademarks** in force.
  - India's industrial design applications grew by **36.4%** in 2023.
- **Increase in IP Activity:** India's **patent-to-GDP ratio** grew from **144** to **381** in the past decade, indicating an expansion of IP activity in line with economic growth.
  - Patent-to-GDP ratio is a measure of the economic impact of patent activity.

What is the Design Law Treaty (DLT)?

- **About:** DLT is proposed as a comprehensive framework to streamline and facilitate the **protection of industrial designs** worldwide.
- **Objective:** Its objective is to create a **predictable and accessible system** that eliminates unnecessary bureaucratic hurdles and offers greater ease for designers to protect their intellectual property.
- **Key Provisions:**
  - **Streamlining Design Application Procedures:**
    - **Clear Application Requirements:** Establishes **uniform, clear guidelines** for all design applications.
    - **Flexibility in Representation:** Applicants can use various formats (**drawings, photos, videos**) to **represent the design** to industrial property offices.
      - **Multiple Use:** Allows **multiple designs in one application**, preserving the original filing date even if some are not accepted.
  - **Improving the Filing Process:**





- **Filing Date Simplicity:** Applicants can secure a filing date by submitting **essential parts initially**, with the complete application processed later.
- **Grace Period for Public Disclosure:** A **six or 12-month grace period** protects the novelty of designs disclosed before filing.
- **Post-Registration Procedure and Protection:**
  - **Publication Control:** Applicants can control publication for **six months post-filing**, ensuring confidentiality and competitive advantage.
  - **Relief Measures for Missed Deadlines:** **Relief** will be provided for applicants who **miss deadlines**, preventing loss of rights.
  - **Clear Post-Grant Transactions:** Post-registration procedures (e.g., transfers, licensing) will be clearly defined for easier management and enforcement.
- **Two-Tier Structure:** The Treaty will consist of **articles** (the main provisions of the Treaty) and **rules** (the regulations governing implementation).
  - The Assembly of **Contracting Parties** can amend the rules to **adapt to changes** in design law and technology.

What is Industrial Design?

- **About:** An industrial design is an **original creation** of an **ornamental nature**, which, when **incorporated in or applied to a product**, lends a **special appearance** to it.
  - These characteristics may result from its **shape, lines, outline, configuration, colour, texture or material**.
  - A design may be **three-dimensional**, such as the shape of a product, or **two-dimensional**, as in a specific surface pattern.
  - It is an **Intellectual property (IP)** which are **intangible creations** of the human mind that have value but are not physical objects.
- **Application:** Designs are applied to a wide range of products, such as **packaging, furniture, clothing, electronic devices, medical equipment, handicraft items, and jewelry**.
- **Importance:** Designs are **business assets** that may increase a product's **market value** and provide a competitive advantage.
  - By making products attractive to consumers, designs **drive consumer choices**.
- **Protection:** Designers need to follow the filing procedures set by the **intellectual property (IP) office** of the country in which they seek protection.

- Design rights are **territorial** i.e., the rights arising from protection obtained in one **country (or region)** are limited to that country (or region).
- The registration and protection of industrial designs in India is administered by the **Designs Act, 2000**.
- **Industrial Design In India:** Between **2014-24**, design registrations in India have **tripled**, with domestic filings increasing by **120%** in the **last two years** alone.
  - Notably, design applications grew by **25% in 2023**.

#### World Intellectual Property Organisation (WIPO)

- **About:** WIPO is an **specialised agency** of the **United Nations** which was created in **1967** to encourage **creative activity**, to promote the protection of **intellectual property** throughout the world.
- **Role:** Provides services for protecting IP, offers a forum for IP-related issues, and supplies data and information to guide global decision-making.
- **Membership:** It has **193 member states**. India joined WIPO in 1975.

#### What are Protection Provisions under the Design Act, 2000?

- **Eligibility:** Designs are protected if they are **aesthetic in nature and applied to articles**.
  - Protection only applies to the appearance of an article, **not its functional aspects**.
  - Designs must be registered with the **Design Registry** to receive protection.
- **Requirements for Protection:**
  - **Novelty and Originality:** Design must be new and significantly different from existing designs.
  - **Non-Disclosure:** Design should not have been publicly disclosed in India or abroad.
  - **Not Functional:** Designs driven by functionality are not protected.
  - **Not Offensive:** Designs should not conflict with public morals, security, or integrity.
- **Duration of Protection:** Protection lasts for at least **10 years** under the **TRIPS Agreement** which can be extended for an additional **5 years** through a renewal application.
- **Infringement and Enforcement:** Registered design owners can **prevent** others from **making, selling, or importing products** that **copy or imitate** their design.
- **Excluded Designs from Protection:** Certain items like **stamps, calendars, books, flags, and layout designs of integrated circuits** are excluded from industrial design protection.
  - Design **cannot** include a **trademark, property mark, or any artistic rights** as defined under the **Copyright Act, 1957**.

### Judgements of Industrial Design

- ***Ritika Private Limited v. Biba Apparels Private Limited Case, 2016:*** Ritika, a boutique apparel designer, sued Biba for reproducing and **selling garments** in the Delhi high court that **duplicated Ritika's designs**, despite the designs **not** being **registered under the Design Act, 2000**.
  - The court ruled that the designs were **not registered** under the Design Act, 2000, and thus, there was **no infringement**, reinforcing the importance of **design registration** for protection against duplication and copying.
- ***Crocs Inc. USA v. Bata India Ltd. and Ors. Case, 2019:*** Crocs Inc USA filed a **design infringement** suit against various Indian footwear manufacturers in the Delhi high court. The alleged design referred to **perforated and non-perforated** shoe design.
  - The court held that Crocs Inc USA **cannot allege infringement or piracy** since the alleged design **lacks novelty and originality** because of the prior publication of the design in various mediums.

### Conclusion

The **Design Law Treaty (DLT)** aims to simplify the **global protection of industrial designs**, making it easier and more accessible for designers to **safeguard their intellectual property**. It ensures a streamlined process, with provisions for multiple designs, grace periods, and clear post-registration procedures, enhancing international design protection.

## Role Women Members Played in the Constituent Assembly

### Context

- On Constitution Day (November 26), President Droupadi Murmu recalled the role women members played in the Constituent Assembly.

### About

- The 299-member Assembly had 15 women members, including prominent figures such as Sarojini Naidu, Sucheta Kripalani, and Vijaya Lakshmi Pandit.
- But it also had lesser-known women from diverse backgrounds who participated in debates on gender, caste and reservations.

### Contribution by Women in the Constituent Assembly

- **Ammu Swaminathan (1894-1978):** She contested Central Legislative Assembly elections on a Congress ticket from Madras in 1945 and then became a member of the Constituent Assembly.
  - She strongly opposed the restrictions imposed on widows, such as shaving the head and renouncing jewellery, after seeing her mother's experience.
- **Annie Mascarene (1902-1963):** She was born in Trivandrum (now Thiruvananthapuram) in a Latin Christian family, considered to be at the lowest rung of the caste system. Despite her social status, she went on to study and teach law.
  - She actively campaigned for a government based on a universal adult franchise.
- **Begum Qudsia Aizaz Rasul (1909-2001):** Despite being part of the Muslim League, she was among the few members opposing separate electorates based on religion. Her views on the idea of Pakistan were more complex.
- **Dakshayani Velayudhan (1912-1978):** She was the first Dalit woman to graduate in science in Cochin (now Kochi) and the first Dalit woman in the Cochin Legislative Council.
  - She disagreed with Ambedkar on the need for separate electorates, saying the provision went against nationalism.
- **Renuka Ray (1904-1997):** A meeting with Gandhi in 1920 led her to quit college and join the freedom struggle, where she went door-to-door to raise awareness.
  - She represented women's organisations in the Central Legislative Assembly in 1943 and then became a member of the Constituent Assembly.
- **Rajkumari Amrit Kaur:** The first Health Minister of independent India, she was also a member of the Constituent Assembly.

- She was deeply involved in the discussions on social welfare, healthcare, and education, with a focus on women's health and social issues.
- **Kamla Devi:** A noted social reformer and freedom fighter, also participated in the Constituent Assembly.
  - She was an advocate for women's rights, particularly in areas of education, social reform, and the empowerment of women.
- **Muthulakshmi Reddi:** She worked on issues related to the rights of women, including the legal reforms concerning marriage and divorce.

### **Significance of Women Participation in Constituent Assembly**

- The inclusion of women in the Constituent Assembly signaled the recognition of women as equal partners in the democratic process and nation-building.
- They advocated for Women's Rights and Social Justice.
- Advocated for the inclusion of gender equality in the Constitution with the Article 14, 15 and 42.
- The Hindu Code Bill, which sought to provide equal rights to women in marriage, divorce, inheritance, and property, was influenced by the ongoing discussions and activism by women leaders.



## India-Mediterranean Relations

### Context

- In a significant address at the **10th edition of the MED Mediterranean Dialogue** in Rome, External Affairs Minister S. Jaishankar emphasised the mutual benefits of strengthening ties between India and the Mediterranean region.

### About Mediterranean Region

- It encompasses **Southern Europe** (*Spain, France, Monaco, Italy, Slovenia, Croatia, Bosnia and Herzegovina, Montenegro, Albania, Greece, Malta, and Cyprus*); **North Africa** (*Egypt, Libya, Tunisia, Algeria, and Morocco*), and **parts of West Asia** (*Turkey; Syria; Lebanon; Israel and Palestine*).



- This vast area, historically a hub of global commerce, culture, and politics, has seen deepening interactions with India across various domains.

### India-Mediterranean Relations

- **Historical Ties and Cultural Exchange:** Historical records indicate robust trade relations with the Roman Empire and the Greeks. The **ancient port city of Muziris on India's Malabar Coast** was a bustling trading post where spices, exotic animals, and gold were exchanged.
  - This historical connection laid the foundation for a rich cultural exchange that continues to influence bilateral relations.
- **Strategic and Geopolitical Importance:** The Mediterranean's strategic location makes it a critical area for India's geopolitical interests. The region serves as a **bridge connecting Asia, Africa, and Europe**, enhancing India's connectivity across these continents.
  - This connectivity is **vital for India's Indo-Pacific policy**, which aims to ensure a free, open, and inclusive Indo-Pacific region.



- **Political and Defense Cooperation:** India's political relations with Mediterranean countries are robust, with growing defense collaboration through **more joint exercises and exchanges**.
  - The region's strategic importance is underscored by India's participation in the **I2U2 grouping**, which includes **India, Israel, the UAE, and the US**, focusing on economic and security cooperation.
  - **India and Italy** are enhancing their defence ties through agreements and joint ventures which includes maritime domain awareness, information sharing, and defence production collaborations.
- **Economic and Trade Relations:** India's trade with Mediterranean countries has grown substantially, reaching **approximately USD 80 billion annually**.
  - Key sectors driving this trade include fertilizers, energy, water technology, diamonds, defense, and cyber capabilities.
  - Indian companies are actively involved in significant infrastructure projects across the region, such as airports, ports, railways, and green hydrogen initiatives.
- **Connectivity:** A major development in India-Mediterranean relations is the **India-Middle East-Europe Economic Corridor (IMEC)**, announced in 2023 with the aim to enhance connectivity and integration between India, the Middle East, and Europe, involving countries like the UAE, Saudi Arabia, Jordan, Israel, and the European Union.
- **Cultural and Diaspora Links:** The Mediterranean region is home to a significant Indian diaspora, with about 460,000 Indians residing there, 40% of whom are in Italy.
  - This diaspora plays a crucial role in strengthening cultural ties and fostering mutual understanding between India and Mediterranean nations.

### **Key Concerns Related to India's Influence in the Mediterranean Region**

- **Geopolitical Stability:** The Mediterranean region is often characterised by political instability and conflicts, particularly in West Asia.
  - The ongoing conflicts, such as the Israel-Palestine issue and tensions in Syria and Libya, pose significant challenges to India's diplomatic efforts.
  - The **success of IMEC** depends on **overcoming regional conflicts** and ensuring seamless cooperation among participating countries
- **Energy Security:** The Mediterranean region is crucial for India's energy security, with significant imports of **oil and gas from the Middle East and North Africa**.
  - Ensuring stable and secure energy supplies amidst regional volatility is a major concern.

- Additionally, India's interests in renewable energy projects, such as green hydrogen initiatives, require robust partnerships and investments.
- **Regional Conflicts and Security:** The region faces persistent threats from piracy, illicit maritime activities, and conflicts in areas like **Gaza and Lebanon**. These issues require joint efforts to ensure freedom of navigation and regional security.
  - **India's call** for a ceasefire in West Asia and support for a two-state solution in the Israel-Palestine conflict reflect its commitment to regional peace and stability.
  - Additionally, India's engagement with both Israel and Iran highlights its balanced approach to regional diplomacy.

### **Conclusion and Way Forward**

- India's influence in the Mediterranean region is multifaceted, encompassing economic, strategic, and cultural dimensions.
- Addressing the key concerns of geopolitical stability, economic integration, energy security, diaspora welfare, infrastructure development, and regional conflicts is crucial for strengthening India's role in this vital region.
- Through initiatives like the IMEC and proactive diplomacy, India can enhance its engagement and contribute to the stability and prosperity of the Mediterranean region.

