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**GS 2: POLITY, GOVERNANCE, SOCIAL JUSTICE, INTERNATIONAL RELATIONS/INSTITUTIONS**

**1. Section 152 of BNS should not become a proxy for sedition**

**Context:** The Rajasthan High Court, in *Tejender Pal Singh v. State of Rajasthan* (2024), cautioned against using Section 152 of the *Bhartiya Nyaya Sanhita* (BNS) as a tool to stifle legitimate dissent. Section 152 of the BNS criminalises any act exciting secession, armed rebellion, and subversive activities. It also criminalises acts encouraging feelings of separatism or endangering the sovereignty, unity, and integrity of India. While the BNS does not formally use the term 'sedition', the Rajasthan High Court's recent decision hints that the spectre of sedition still looms large in the BNS.

**Key points**

- **Overview:** In the 2024 case of *Tejender Pal Singh v. State of Rajasthan*, the Rajasthan High Court warned that Section 152 of the *Bhartiya Nyaya Sanhita (BNS)* should not be misused to suppress valid criticism or peaceful dissent.
- **Impact of Section 152 on freedom of speech and legitimate dissent:**
  - Chilling Effect* - The vagueness of what constitutes an act endangering sovereignty can lead to a chilling effect on free speech. Individuals may self-censor to avoid potential legal repercussions for expressing dissenting opinions or criticism of the government.
  - Potential for Abuse* - The broad language and lack of clear definitions in Section 152 allow for expansive interpretation by enforcement authorities. This can result in legitimate expressions of dissent being criminalized under the guise of national security.
  - Judicial Oversight* - The Rajasthan High Court emphasized that Section 152 should not be used as a tool to suppress dissent but rather as a protective measure for national security. It called for careful application and judicial oversight to ensure that legitimate criticism is not equated with sedition.
- **Legal and constitutional implications of Section 152:**
  - Constitutional Rights* - Enforcing Section 152 raises concerns regarding violations of Articles 14 (Right to Equality) and 19 (Freedom of Speech) of the Indian Constitution. The vague definitions may lead to arbitrary enforcement, undermining individual rights and freedoms.
  - Judicial Precedents* - The judiciary has historically favoured a consequentialist approach in interpreting laws related to free speech. Previous rulings have established that there must be a direct causal link between speech and its impact for it to constitute an offence. This precedent should guide the interpretation and enforcement of Section 152.
  - Need for Guidelines* - There is an urgent need for the Supreme Court to establish clear guidelines regarding the application of Section 152, like those created in past cases. This would help delineate acceptable boundaries for criticism while protecting national interests without infringing on civil liberties.
- **Way forward:**
  - Establish Clear Guidelines* - The Supreme Court should set precise guidelines for applying Section 152 to ensure a balance between protecting national security and safeguarding freedom of speech, as done in past landmark cases.
  - Promote Judicial Oversight* - Enforcement authorities should be required to demonstrate a direct and significant link between the speech and its impact, with courts actively monitoring cases to prevent misuse of the law against legitimate dissent.

#### Key differences between Section 152 & Section 124A

- **Terminology and Scope:** *Section 124A (IPC)* specifically criminalizes acts that bring hatred or contempt towards the government, termed as sedition. It focuses on inciting disaffection against the government. *Section 152 (BNS)* criminalizes acts that endanger the sovereignty, unity, and integrity of India, including inciting rebellion or promoting separatism. While it does not explicitly use the term "sedition," it covers similar ground with broader language.
- **Penalties:** *Section 124A* prescribes a punishment of life imprisonment or a minimum of three years in prison, along with a possible fine. *Section 152* increases the potential penalty to life imprisonment or up to seven years, along with a mandatory fine, making it potentially more stringent.
- **Intent Requirement:** *Section 124A* requires proof of intent to incite disaffection. *Section 152* allows prosecution if a person "knowingly" shares information regardless of malicious intent.

## GS 2: POLITY, GOVERNANCE, SOCIAL JUSTICE, INTERNATIONAL RELATIONS/INSTITUTIONS

### 2. SC rejects review of its order that had said no to same-sex marriage

**Context:** The Supreme court on Thursday dismissed petitions seeking review of its October 2023 ruling that had rejected the request to grant legal recognition to same-sex marriages. Citing “institutional limitations”, a five-judge bench including then CJI D Y Chandrachud, had declined to strike down or tweak provisions of the Special Marriage Act, 1954 (SMA), emphasising there was ‘no qualified right’ to marriage, and a same-sex couple could not claim its fundamental right under the constitution. Rejecting the request to grant legal recognition to same-sex marriage, the bench left it to the Parliament to change the law to validate such a union.

#### Key points

- **Overview:** The Supreme Court in his latest verdict did not legalise same sex marriage becoming a cause of disappointment for those who were seeking that the court will intervene rightfully for the cause. The Supreme Court called upon the centre to form a committee that will address the issues of same sex couples like getting the ration card, pension, gratuity and succession issues.
- **Same Sex Marriage:** Same sex marriage refers to the legal and social recognition of marriage between individuals of the same gender or sexual orientation. In such marriages, two people of the same sex come together in a formal union, just like opposite-sex couples, with the same legal rights and responsibilities.
  - *Equality Perspective* - Advocates for marriage equality argue that denying same-sex couples the right to marry is a form of discrimination and a violation of their human rights. Over the years, many countries have legalized same sex marriage, and in some cases, it has been achieved through legislative changes, court rulings, or referendums.
- **Special Marriage Act:** The institution of marriage in India is a social tradition where couples come together in the presence of witnesses, and it does not necessarily require legal sanction. For those who wish to have a legally recognized marriage, they can opt for a “court marriage.” The Special Marriage Act of 1954 offers provisions for marriage for all Indian nationals, regardless of their religion or faith. The Supreme Court took was deliberating whether the Special Marriage Act can be made gender neutral.
- **Challenges:**
  - Open Discrimination* - The lack of recognition for same-sex relationships is a form of discrimination by the State. Every individual should have the freedom to choose whom they love and marry, as affirmed by the Supreme Court’s previous judgment in the Puttaswamy case, which recognized privacy as a fundamental right.
  - Violation of Fundamental Rights* - The Indian Constitution grants citizens certain fundamental rights that should not be infringed upon by the State based on personal choices.
- **Way Forward:**
  - Encourage Role Models* - Prominent individuals who occupy influential positions in society and are open about their sexuality can play a pivotal role in sharing their experiences and stories, serving as positive role models.
  - Anti-Discriminatory Legal Framework* - The legal system should adapt to changing times. This involves amending laws related to property, adoption, inheritance, and other areas to establish a comprehensive anti-discrimination framework.
- **Conclusion:** In conclusion, recognising and legalizing same sex marriages in India is essential to protect the fundamental rights and dignity of all citizens, regardless of their sexual orientation. It requires a combination of legal amendments, public awareness.

### 3. PM to open Z-Morh tunnel, a key part of Kashmir-Ladakh corridor

**Context:** The Z-Morh tunnel is set to become the first major milestone in the effort to build a strategic corridor between Kashmir and Ladakh which is open all through the year, with Prime Minister Narendra Modi slated to inaugurate it on January 13. The tunnel, in Ganderbal district, is key to keeping the tourist destination of Sonamarg open for visitors around the year. Earlier, snowfall and avalanches would cut off the tourist spot every winter. A security assessment of the project was done on Thursday to set up foolproof security arrangements ahead of the PM's visit.

#### Key points

- **Overview:** The tunnel is built under the mountain glacier between Gagangir and Sonamarg and bypasses the landslide and avalanche-prone pockets of the road. An intelligent traffic management system has been set up which will make it easier to control the flow of vehicles and will also open the Thajiwas Glacier and Sindh River.
- **Z-Morh tunnel:** The Z-Morh tunnel is a 6.4-kilometer tunnel connecting the Sonamarg health resort with Kangan town in central Kashmir's Ganderbal district. The tunnel gets its name from the Z-shaped road stretch at the construction site.
- **Need for the tunnel:** The stretch where the tunnel is under construction is situated at an altitude of over 8,500 feet and is prone to snow avalanches in the winter. The road to Sonamarg as such remains closed for most part of the winter.
- **Strategic importance of the Z-Morh tunnel:** The Z-Morh tunnel, part of the larger Zojila tunnel project, aims to ensure year-round connectivity from Srinagar to Ladakh.
- **Recent terror attack on infra project in J&K:** The terror attack on workers of APCO Infratech, constructing the Z-Morh tunnel, marks a significant event in Jammu & Kashmir. It reflects the revival of terrorism and points towards a broader strategy aimed at exposing vulnerabilities in the region.
- **Pakistan's Deep State and its Role:** The Pakistani deep state appears determined to re-establish its relevance in J&K by instigating violent events. Their goal is to obstruct India's process of stabilizing J&K, particularly after the abrogation of Article 370. A strategic terror event like this attack is seen to prevent peace dividends from taking root and ensure continued instability.
- **Targeting Peripheral Areas and Infrastructure Projects:** The Z-Morh tunnel, a flagship infrastructure project, requires a large workforce and specialized expertise. The attack may indicate a larger threat to infrastructure projects in J&K's peripheral regions, such as the Kishanganga project and railway projects in Banihal and Qazigund.
- **Possible Chinese angle:** The People's Anti-Fascist Front (PAFF), a Pakistani terror group, issued a statement praising The Resistance Front (TRF), an offshoot of Lashkar-e-Taiba, for the recent attack in Jammu and Kashmir that killed seven civilians. PAFF described the attack as "strategic" and claimed it was meant to disrupt Indian military deployments toward the eastern border, also citing "Chinese friends" as part of their justification. While China and Pakistan have known strategic ties, there is no evidence of Beijing's involvement so far.
- **Conclusion:** The proxy war in J&K is far from over. While the frequency of violence has decreased, complacency must be avoided, and efforts should focus on combating terror networks, financing, and drug mafias to sustain stability in the region.

#### 4. India releases compilation of 10,000 human genomes from 83 population groups

**Context:** India has completed and made available a year-long compilation of 10,000 human genomes representing 83 population groups, making up about 2% of the country's 4,600 population groups, as a database. This collection will serve as a template of future investigations into disease and drug therapy. The 'Genome India' database, as it is known, will now be available to researchers across the world for investigation and is housed at the Indian Biological Data Centre (IBDC), in Faridabad, Haryana. The project has sequenced the genomes from 99 districts, producing 8 petabytes of data.

#### Key points

- **Overview:** Prime Minister Narendra Modi announced the completion of the Genome India Project, describing it as a significant achievement in India's biotechnology revolution.
- **Human genome:** The human genome is the entire set of deoxyribonucleic acid (DNA) residing in the nucleus of every cell of each human body. It carries the complete genetic information responsible for the development and functioning of the organism. The DNA consists of a double-stranded molecule built up by four bases – adenine (A), cytosine (C), guanine (G) and thymine (T).
- **Genome Sequencing:** While the sequence or order of base pairs is identical in all humans, there are differences in the genome of every human being that makes them unique. The process of deciphering the order of base pairs, to decode the genetic fingerprint of a human is called genome sequencing.
- **Human Genome Project (HGP):** In 1990, a group of scientists began to work on determining the whole sequence of the human genome under the Human Genome Project. The project released the latest version of the complete human genome in 2023, with a 0.3% error margin.
- **Genome India Project:** Approved in 2020, the Genome India Project aims to create a comprehensive catalogue of genetic variations within the Indian population. Sanctioned by the Department of Biotechnology, project aims to sequence the genomes of over 10,000 Indians from different regions of the country and establish a reference genome for the Indian population.  
*Significance* - This project allows researchers to learn about genetic variants unique to India's population groups and use that to customise drugs and therapies.
- **Significance of genetic study for the country:** *Understanding Genetic Risk Factors for Diseases* - Studying India's genetic makeup can help identify genetic risk factors for diseases. For Ex-
  - The MYBPC3 mutation, linked to cardiac arrest at a young age, is found in 4.5% of the Indian population but is rare globally.
  - The LAMB3 mutation, causing a lethal skin condition, affects nearly 4% of the population near Madurai and is absent in global databases.*Advancing Targeted Treatments* - An Indian genome database can aid in the development of targeted therapies, particularly for rare genetic diseases. For Ex-
  - mRNA vaccines for pancreatic cancer, developed based on specific genetic mutations.
  - New therapies to treat genetic diseases unique to Indian populations.*Enhancing Drug Efficacy and Safety* - Genetic studies can identify resistance-indicating variants, ensuring safer and more effective treatments.
- **Way forward:** The project will facilitate personalized medicine development, ensure treatments are tailored to India's genetic diversity, and strengthen the biotechnology and biopharma sectors.

**5. Assam's growth trajectory**

**Context:** Assam, like many Indian States, leverages debt prudently to fund infrastructure projects, promote welfare initiatives, and align with the nation's broader development goals. For Assam, with its unique challenges of limited industrialisation, geographical isolation, and dependence on sectors like tea, oil, and gas, generating sufficient revenue to meet its developmental needs remains a challenge. Assam's debt-to-GDP ratio for FY 2024-25 (BE) stands at 23.47%, significantly lower than States such as Punjab (44.1%), Bihar (35.7%), and Kerala (34%). For FY 2024-25, Assam's GSDP is projected to reach Rs 6.43 lakh crore.

**Key points**

- **Budget Highlights:** Expenditure (excluding debt repayment) in 2024-25 is estimated to be Rs 1,36,699 crore, a decrease of 9% from the revised estimates of 2023-24. In addition, debt of Rs 7,192 crore will be repaid by the state. Receipts (excluding borrowings) for 2024-25 are estimated to be Rs 1,14,165 crore, a decrease of 5% as compared to the revised estimate of 2023-24.
- **Policy Highlights:** *Mukhya Mantri Mahila Udyamita Abhiyaan* - A minimum amount of Rs 47,500 will be provided to each woman member of self-help groups in rural and urban areas. This will be provided by a combination of grant, subsidy, and loan.  
*Rooftop solar* - All new private and public buildings constructed in Assam will have to mandatorily install rooftop solar facility.  
*Farm mechanisation* - The state government will distribute power tillers, tractors, threshers, and other farm equipment to support agricultural activities.
- **Expenditure in 2024-25:** Revenue expenditure for 2024-25 is proposed to be Rs 1,10,092 crore, a decrease of 7% from the revised estimate of 2023-24. This includes the expenditure on salaries, pension, interest, grants, and subsidies. Capital outlay for 2024-25 is proposed to be Rs 26,596 crore, a decrease of 15% from the revised estimate of 2023-24. At the revised estimate stage in 2023-24, capital outlay is estimated to be 32% higher over the budget estimates. Capital outlay indicates the expenditure towards creation of assets.
- **Way forward:** Assam's economic future depends significantly on its human capital. Developing skills in emerging industries and fostering entrepreneurship will create an environment for opportunities.

**Comparison of states' expenditure on key sectors:**

- **Education:** Assam has allocated 17% of its expenditure on education in 2024-25. This is higher than the average allocation for education by states in 2023-24 (14.7%).
- **Health:** Assam has allocated 6.1% of its total expenditure towards health, which is broadly like the average allocation for health by states (6.2%).
- **Rural development:** Assam has allocated 3.7% of its expenditure on rural development. This is lower than the average allocation for rural development by states (5%).
- **Roads and bridges:** Assam has allocated 7% of its expenditure towards roads and bridges. This is higher than the average allocation towards roads and bridges by states (4.6%).
- **Agriculture:** Assam has allocated 4.5% of its total expenditure towards agriculture. This is lower than the average expenditure on agriculture by states (5.9%).
- **Irrigation:** Assam has allocated 2.8% of its total expenditure towards irrigation, which is lower than the average allocation by states (3.4%).