

# CURRENT AFFAIRS

23 OCTOBER 2022



## TOPIC:WILDLIFE PROTECTION

# NGT stops Corbett tiger safari work till panel submits tree felling report

- ✓Established on 18th October, 2010 under the National Green Tribunal Act 2010.
- ✓Established for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- ✓New Delhi is the Principal Place of Sitting of the Tribunal and Bhopal, Pune, Kolkata and Chennai shall be the other four places of sitting of the Tribunal.
- ✓The Tribunal is not bound by the procedure laid down under the Code of Civil Procedure, 1908, but shall be guided by principles of natural justice.

The NGT deals with civil cases under the seven laws related to the environment, these include:

1. The Water (Prevention and Control of Pollution) Act, 1974,
  2. The Water (Prevention and Control of Pollution) Cess Act, 1977,
  3. The Forest (Conservation) Act, 1980,
  4. The Air (Prevention and Control of Pollution) Act, 1981,
  5. The Environment (Protection) Act, 1986,
  6. The Public Liability Insurance Act, 1991 and
  7. The Biological Diversity Act, 2002.
- ✓ Any violation pertaining to these laws or any decision taken by the Government under these laws can be challenged before the NGT.

## TOPIC:SEPARATION OF POWER

# Line separating judiciary, legislature and administration has blurred: Thiaga Rajan

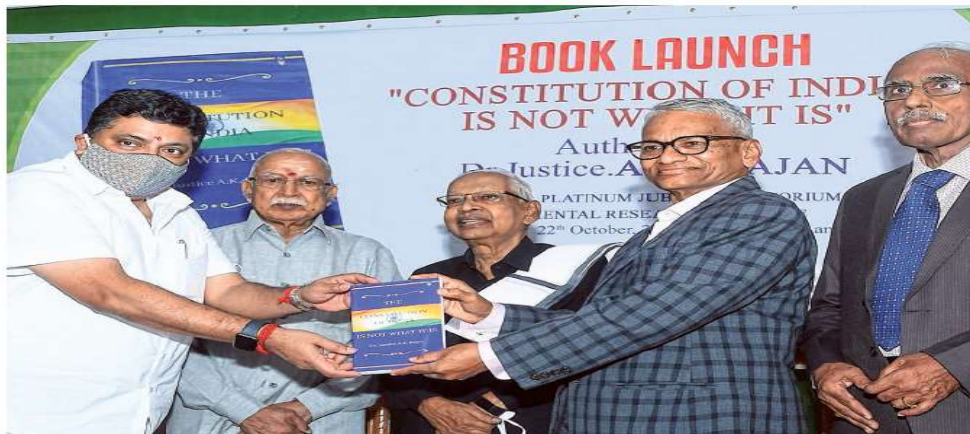
The Finance Minister says the problems in the Indian judiciary are compounded by the notion that one cannot criticise it, unlike many other democracies; while there is 'overreach in some cases, there are instances in which judges refuse to step into something that they should look into'

**The Hindu Bureau**  
CHENNAI

Tamil Nadu Finance Minister Palanivel Thiaga Rajan said on Saturday that the line between the judiciary, the legislature and the administration had blurred a lot.

Releasing the book, *Constitution of India - is not what it is*, authored by Justice (retired) A.K. Rajan here, he said that today, one does not know where lies the line that separates the roles and responsibilities of the judiciary, the legislature and the administration.

Arguing that the line between the legislature and the administration has already blurred, what with things like the anti-defection laws, Mr. Thiaga Rajan said the line between the judiciary and the administration was now getting blurred in good and bad ways. While there is an overreach in some cases, there are also instances in which judges refuse to step into something that they



**Matters of opinion:** Finance Minister Palanivel Thiaga Rajan releasing a book 'Constitution of India - is Not What It Is' authored by retired Justice A.K. Rajan in Chennai on Saturday. K.V. SRINIVASAN

should look into. Referring to the recent issue over a public interest litigation petition on freebies, he asked how can that be considered a justiciable matter.

He asked on what basis, in a democracy, can the court be appointed a chaperone between the elec-

tors and those seeking election. Highlighting that the book's title was a reference to a quote of a former Chief Justice of the U.S. Supreme Court who said the "Constitution is not what it is, but what the judges say it is," Mr. Thiaga Rajan said that such an enormous responsibility of

interpretation is laid on the shoulders of judges in any democratic society.

He said this responsibility is being used, neglected and, in some ways, misused or put in cold storage in India. He said there are many cases with serious constitutional implications, and yet, not a single



There are many cases with serious constitutional implications; yet, not a single hearing has happened in the Supreme Court

PALANIVEL THIAGA RAJAN

hearing has happened in the Supreme Court or they are heard five or six years later when the hearing is effectively infructuous.

He added that, in India, such problems are compounded by the notion that one cannot criticise the judiciary, unlike many other democracies. Pointing out that in many issues, there are multiple judgments contradicting each other, he recalled an inscription in a courthouse in New Jersey, which reads, "Precedent makes law; if you stand well, stand still." He said it is to make the judges of the higher judiciary appreciate that every time they open their

mouth or use their pen, they are validating or setting a precedent. "This notion of restraint, of truly checking precedents, of being wary of creating new precedents, I think, is becoming of a judge," he said.

Justice (retired) Doraiswamy Raju stressed the need for judges to avoid bringing their personal preferences in their judgments. Ravivarman Kumar, senior counsel, Supreme Court, said that while the Kesavananda Bharati judgment is often referred as a landmark, protecting the basic structure of the Constitution, the same judgment played a significant role in blurring the line between the judiciary, the legislature and the administration.

Dravidar Kazhagam president K. Veeramani said the book, which was a timely contribution, ought to be translated into Tamil. A. Thiyagarajan, senior counsel, Madras High Court; G. Olivannan of Emerald Publishers; and P.B. Suresh Babu, advocate, Madras High Court, spoke.

## Anti Defection

- ✓ 52<sup>nd</sup> CAA 1985
- ✓ According to Schedule X (Anti-Defection Act),
- ✓ An elected member voluntarily gives up his membership of a political party,
- ✓ An elected member votes or abstains from voting in such House contrary to any direction issued by his political party or anyone authorised to do so, without obtaining prior permission.
- ✓ Presiding Officer: Final Authority

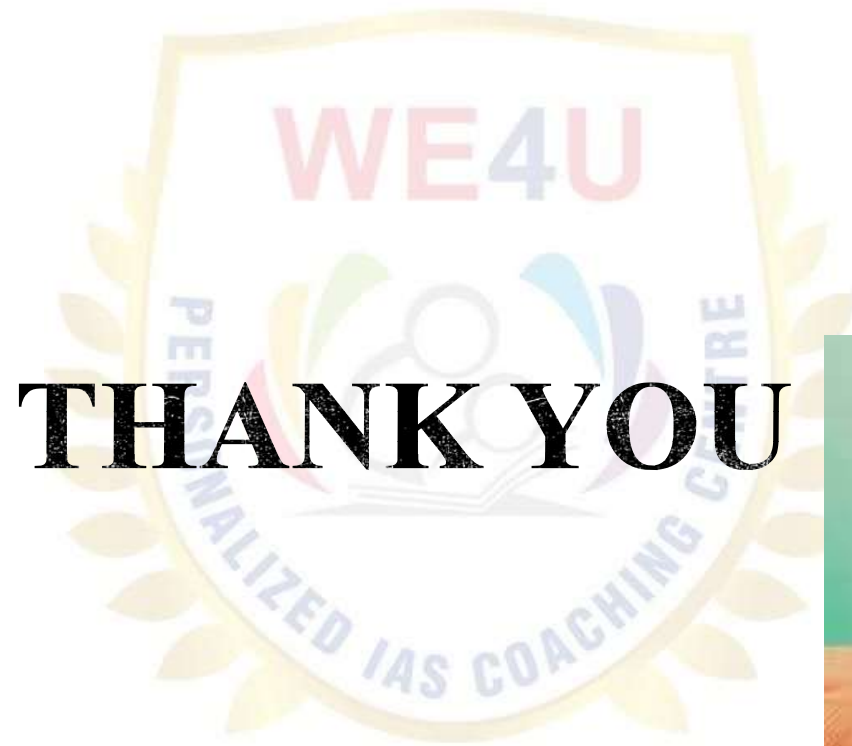
## TOPIC: WATER RESOURCE

# *Breathing life into a dead river*

Sukapaika river in Odisha stopped flowing in the 1950s following a canal work. A water crisis made the villagers sit up and think of rejuvenation

### Sukapaika

- ✓ Sukapaika is one of the several distributaries of the mighty Mahanadi river in Odisha.
- ✓ It branches away from the Mahanadi at Ayatpur village in Cuttack district and flows for about 40 kilometres (km) before rejoining its parent river at Tarapur in the same district.
- ✓ In the process, it drains a large landmass comprising over 425 villages.
- ✓ However, the river is undergoing sudden barrenness.



**THANK YOU**

