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9560300770, 9560300554

enquiry@tathastuics.com



S.NO. TOPIC

1. TEESTA RIVER ISSUE
2. GANGA WATER TREATY (FARAKKA TREATY)
3. RIGHT TO PROTECTION FROM CLIMATE CHANGE IMPACTS AS PART OF THE FUNDAMENTAL RIGHTS
4. NITI AAYOG'S MEGA PROJECT ON GREAT NICOBAR ISLAND
5. BRAHMOS MISSILE

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PAUSE ON RELEASE

No immediate relief for Kejriwal from SC

NEWS » PAGE 4

ISLAMIST STRIKES IN RUSSIA

Dagestan region mourns as toll hits 20



Article with title: Islamist strikes in Russia

WORLD » PAGE 14

ONGOING WAR

Phase of Gaza war is ending: Israel PM



WORLD » PAGE 14

DATA POINT

Was the Ram Mandir a voting issue in LS polls?

Lack of jobs, inflation were critical concerns

OPINION » PAGE 9



SEALING IT

Rohit sizzles as India moves into semifinals

SPORT » PAGE 16

INSIDE



Will urge Centre to take up caste census: Stalin

NEET paper leak case: 2 teachers among 4 booked in Maharashtra

While one teacher was arrested, another is being questioned, say police; they allegedly shared hall ticket details of some students with the third accused Kongalwar, linked to the money trail, who forwarded them to fourth accused Gangadhar

Shoumojit Banerjee
PUNE



Panel constituted to reform NTA

ishad officials are said to be actively considering his suspension.

Will seek consensus in Parliament, says PM as LS convenes



TEESTA RIVER ISSUE

Mamata says Bengal must be involved in any talks on sharing of Teesta water

Shiv Sahay Singh
KOLKATA

West Bengal Chief Minister Mamata Banerjee on Monday wrote to Prime Minister Narendra Modi saying **no discussion on the Teesta river treaty should be taken up with Bangladesh without the involvement of the State government.**

She said that if Teesta river water was shared with Bangladesh, **lakhs of people in north Bengal would be severely impacted due to inadequate availability of irrigation water.**

In her letter, Ms. Banerjee said, "It is to convey my strong reservation that no discussion on sharing of Teesta water and the Farakka Treaty should be taken up with Bangladesh without the involvement of the State government. The interest of people in West Bengal is paramount,



Now, they are trying to give Teesta waters. As if they are kings... If they do not listen to us and take any unilateral decision, there will be protests all over West Bengal and across the country

MAMATA BANERJEE
West Bengal Chief Minister



In her communication to the Prime Minister, Ms. Banerjee underlined that people of West Bengal share a very close relationship with Bangladesh geographically, culturally and economically.

'No compromise'

"West Bengal has cooperated with Bangladesh on several issues in the past," she said. But she said she could not compromise on an issue which had "severe implications and people of West Bengal will be the worst sufferers."

The Trinamool Congress chairperson said that the Farakka Treaty (1996) of sharing Ganga water had changed river morphology in the eastern part of India and Bangladesh over many years, which had deprived West Bengal and negatively impacted the water availability in the State.

which should not be compromised at any cost."

Referring to the recent visit of Bangladesh Prime Minister Sheikh Hasina to New Delhi, where issues relating to the Ganga and Teesta rivers might have been discussed, the Chief Minister said such "unilateral deliberations without consultation and the opinion of the State government are neither acceptable nor desirable."

"Now, they are trying to give Teesta waters. As if

they are kings. If they do not listen to us and take any unilateral decision, there will be protests all over West Bengal and across the country," Ms. Banerjee said at an administrative meeting.

The sharing of Teesta waters between India and Bangladesh was to be inked in 2011 under the United Progressive Alliance II government led by former Prime Minister Manmohan Singh but Ms. Banerjee had objected to the agreement.

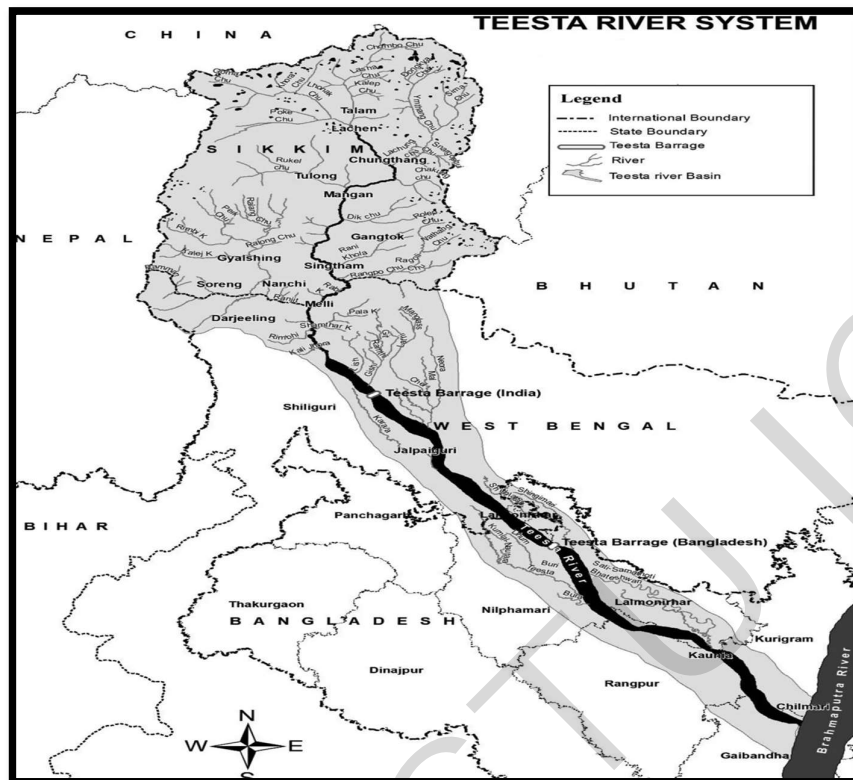
TEESTA RIVER:

- ❖ Teesta River, a tributary of the Brahmaputra River flowing through India and Bangladesh.
- ❖ It rises in Sikkim, flows to the south and turns southeast to run through the plains of West Bengal.
- ❖ Originally, the river continued southward to empty directly into the Ganga River.
- ❖ About 1787, however, the river changed its course to flow eastward, crossing the Rangpur region of Bangladesh to join the Brahmaputra.
- ❖ *Tributaries: Rongli, Reshi, Rangpo, Rangeet, Relli, and Riyang*



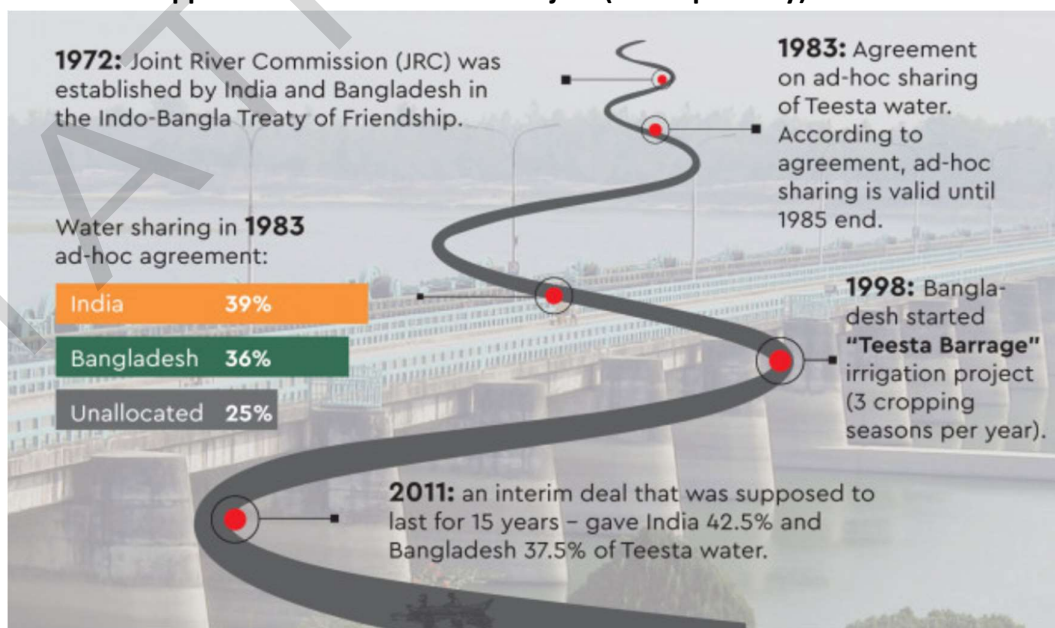
CHALLENGES FACED BY TEESTA:

- ❖ Flash floods occur during monsoon season. The flow reduces significantly in dry season.
- ❖ The river's flow has been significantly reduced due to the construction of several dams and barrages on its upstream reaches.
- ❖ The dispute began soon after the construction of the Teesta Barrage at Gajaldoba in Jalpaiguri in 1975.
- ❖ The barrage was built to divert water from Teesta through canals on either bank of the river.
- ❖ Bangladesh raised concerns.



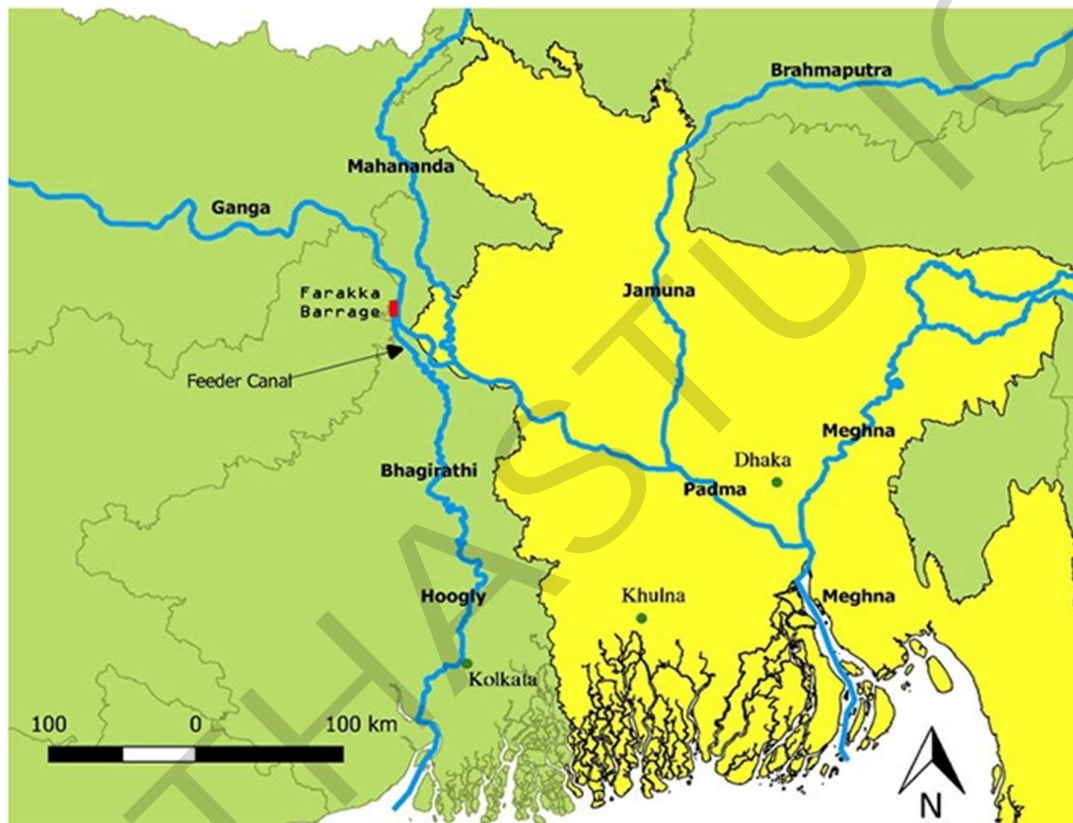
THE LONG-AWAITED TEESTA DEAL :

- ❖ **1983 ad-hoc agreement:** India and Bangladesh were allocated **39%** and **36%** of water, respectively, while the remaining **25%** was earmarked for the environment. Extended until 1987, but both countries were unable to arrive at a formal treaty.
- ❖ During the **Dhaka visit** of Manmohan Singh, in 2011, the signing of a water-sharing agreement regarding the Teesta River was anticipated. However, the signing was abruptly called off at the last minute due to **opposition from Mamata Banerjee. (Paradiplomacy)**



GANGA WATER TREATY (FARAKKA TREATY)

- ❖ India and Bangladesh signed the **Ganga Water Treaty in 1996**. The 30-year treaty is **due to expire in 2026**.
- ❖ Prime Minister announced on Saturday that **India and Bangladesh will begin technical-level talks for the renewal of the 1996 treaty**.
- ❖ In 1975, the Farakka barrage was constructed to **flush out the silt of Bhagirathi Hoogly river** to ensure smooth operationalization of **Kolkata port**.





RIGHT TO PROTECTION FROM CLIMATE CHANGE IMPACTS AS PART OF THE FUNDAMENTAL RIGHTS

- ❖ Right to protection from climate change impacts as part of the fundamental rights to life (Article 21) and equality (Article 14).

The Court spells the way in Himalaya's development

It is a well-established fact that the Indian Himalayan Region (IHR) is both India's water tower and also the critical provider of invaluable ecosystem goods and services. Despite this understanding, there has always been dissonance between the special development needs and the development model being pursued in the IHR. As the economy of the region is dependent on the health and the well-being of its natural resources, plundering the same in the name of development will inevitably and surely lead the IHR towards its economic ruin.

In view of some of the recent judgments of the Supreme Court of India, we seem to be headed towards a more robust rights-based regime where sustainable development would be a fundamental right. The tone and tenor of the Court's judgments highlighting the competing rights of people and nature are a clear sign of the direction in which the development versus environment debate in India is headed. In *State of Telangana and Others vs Mohd. Abdul Qasim (Died) Per Lrs*, the Court had said that the need of the hour is to adopt an ecocentric view of the environment, where nature is at the core. The Court said, "Man being an enlightened species, is expected to act as a trustee of the Earth...The time has come for mankind to live sustainably and respect the rights of rivers, lakes, beaches, estuaries, ridges, trees, mountains, seas and air.... Man is bound by nature's law."

A model of destruction

According to this approach, nature is not an object of protection but a subject with fundamental rights, such as the right to exist, to survive, and to persist and regenerate vital cycles. The current development model being pursued in the IHR is in total contravention of this approach. We are witnessing a 'bumper crop' of hydroelectric power stations on the rivers and streams in the IHR, without any care for the rights of these rivers and streams. There is a reckless widening of existing hill roads to four lanes in the name of development – in any case, these roads are getting washed away in many places in the IHR every time a river is in spate.

A post-disaster need assessment report by the National Disaster Management Authority on the floods in 2023 in Himachal Pradesh identified, unsurprisingly, rampant construction in violation of norms, regulations (and even court orders in many cases) right on river beds and flood plains, on the steep slopes, in seismic zones, in landslide-prone areas and the loss of green cover as the reasons for the disaster. The Teesta dam breach in Sikkim and the monsoon floods and landslides in Himachal Pradesh – both events in 2023 – are a stark reminder of the havoc our



Archana Vaidya

a natural resource management/ environmental law consultant and a Governing Council member of the Sustainable Development Forum, Himachal Pradesh

Aspirations for growth and development in the Indian Himalayan Region need to be aligned with science and the rights of people and nature

development model is causing to the environment, ecology and communities, especially in the mountains. The mountains, climate, forests, rivers, air and land all are crying for their right to survive in the IHR. In whatever approach we choose to adopt, whether ecocentric or anthropocentric, there is a need to align aspirations for growth and development in the IHR with the science and the rights of both people and nature.

Intersectionality of rights

In another matter of public interest litigation (PIL) titled *Ashok Kumar Raghav vs Union of India and Ors.*, the Supreme Court asked the central government and the petitioner to suggest a way forward so as to enable the Court to pass directions on the carrying capacity of the Himalayan States and towns. In the case of the Great Indian Bustard, the Court has recognised the right of the people of this country to be free from the adverse impacts of climate change. Unfortunately the Court's verdict in the Great Indian Bustard case is being interpreted in a very narrow sense – as if the Court has given a clean chit to all renewable energy projects over and above the concerns for biodiversity or any other right that might get compromised. The Court is not only cognisant but also committed to the conservation of species and has underscored the importance of taking proactive measures "not reactive" to protect the Great Indian Bustard. The Court modified the previous order where a blanket ban was imposed on a very large area despite the report of the Wildlife Institute of India, which had identified 13,663 square kilometres as the "priority area", and the rest as "potential areas" and as "additional important areas" for the Great Indian Bustard. The Court has explained in the judgement the non-viability of underground power transmission lines.

In fact, the Court has explained in detail, with examples of many international and national obligations, to explain the intersectionality between the fundamental rights enshrined in Articles 14 and 21, specifically, and human rights which include the right to development and the newly minted right to be able to adapt to climate change. The top court went on to say: "without a clean environment which is stable and unimpacted by the vagaries of climate change, the right to life is not fully realised... The inability of underserved communities to adapt to climate change or cope with its effects violates the right to life as well as the right to equality. The right to equality under Article 14 and the right to life under Article 21 must be appreciated in the context of the decisions of this Court, the actions and commitments of the state on the national and international level, and scientific consensus on

climate change and its adverse effects".

It is a given that unless infrastructure is sustainable and dependable, it cannot become the foundation for people's pursuit of their developmental goals. Sustainability of infrastructure necessarily means that it is resilient to the adverse impacts of climate change and consequent disasters. This is essential to ensure equality, equity and equal access to people, to various opportunities all across the country – as is the mandate of Articles 14 and 21 of the Constitution. Disasters are also known to amplify social inequality as the poor are the worst hit and the most inadequately equipped to deal with the consequences. To pursue a path of sustainable development can also be said to be a fundamental right, as a natural corollary or an integral part or a sub-set of the right to be free from the adverse impacts of climate change. The state must honour this. Hopefully, the Court's judgment is a much-needed nudge and serves as the basis for a legal framework for necessary course correction for development in general and in the IHR in particular.

Development and disaster resilience

While there is no denying that as we are a lower-middle income country with a large and young population, rapid development is India's destiny. The interconnection between disasters and unregulated development has become increasingly pronounced and visible. The only way forward is for disaster management to be incorporated in development planning, both from a perspective of prevention and resilience. Our actions in the name of development, in total disregard of nature in most cases, is to be blamed for these unnatural disasters resulting from natural hazards. The development plans, policies and laws that underpin them too play a pivotal role in the making of these disasters. There is an urgent need for planning stage convergence of different authorities so that when there is a plan for any development, all concerns about disaster and climate resilience are also factored in, and the project reaches implementation stage only after the green signal in these areas. We need both development and disaster resilience. We also need science, policy and action to be in conformity with each other, in an integrated approach with the involvement of all including policymakers, planners, the scientific fraternity and communities.

In view of these judgments of the Supreme Court and also the new fundamental right to be free from the adverse impacts of climate change, it is now a fundamental right for people in general and of IHR in particular to have a development model that is sustainable and in sync with the carrying capacity of the IHR.



NITI AAYOG'S MEGA PROJECT ON GREAT NICOBAR ISLAND

The NITI Aayog's project in Great Nicobar

Why has the Congress party called for an 'immediate suspension' of all clearances granted to NITI Aayog's mega project on Great Nicobar island? What are the ecological and social concerns? Why is there a threat of frequent earthquakes?

EXPLAINER

Rishika Pardikar

The story so far:

In June 17, the Congress party demanded an "immediate suspension" of all clearances granted to NITI Aayog's mega project on Great Nicobar island in the light of "violations of due process, legal and constitutional provisions protecting tribal communities, and the project's disproportionate ecological and human cost." The party also demanded a "thorough impartial review of the proposed project, including by the parliamentary committees concerned." Other political parties have also raised concerns about the project. In its 2024 election manifesto, the Communist Party of India (Marxist) promised to "scrap the environmentally disastrous and pro-corporate Islands Development Plan for Andaman and Nicobar". The Tribal Council of Great Nicobar and Little Nicobar and a host of environmentalists, wildlife conservationists, and tribal rights groups have also opposed the project.

Where is Great Nicobar and which are the communities living there?

The island of Great Nicobar is the southernmost tip of India and a part of the Andaman and Nicobar archipelago that comprises 600-odd islands. It is hilly and covered with lush rainforests that are sustained by around 3,500 mm of annual rainfall. The rainforests and beaches host



THE GIST

On June 17, the Congress party demanded an "immediate suspension" of all clearances granted to NITI Aayog's mega project on Great Nicobar island in light of "violations of due process, legal and constitutional provisions protecting tribal communities, and the project's disproportionate ecological and human cost."

In March, 2021, NITI Aayog unveiled a ₹72,000 crore plan called 'Holistic Development of Great Nicobar Island at Andaman and Nicobar Islands'.

The project requires the diversion of about 130 sq. km of forest land and the felling of around 10 lakh trees. In January, 2021 the Indian government denotified two wildlife sanctuaries — the Galathea Bay wildlife sanctuary and the Megapode Wildlife Sanctuary — to make way for the project.

THE GIST:

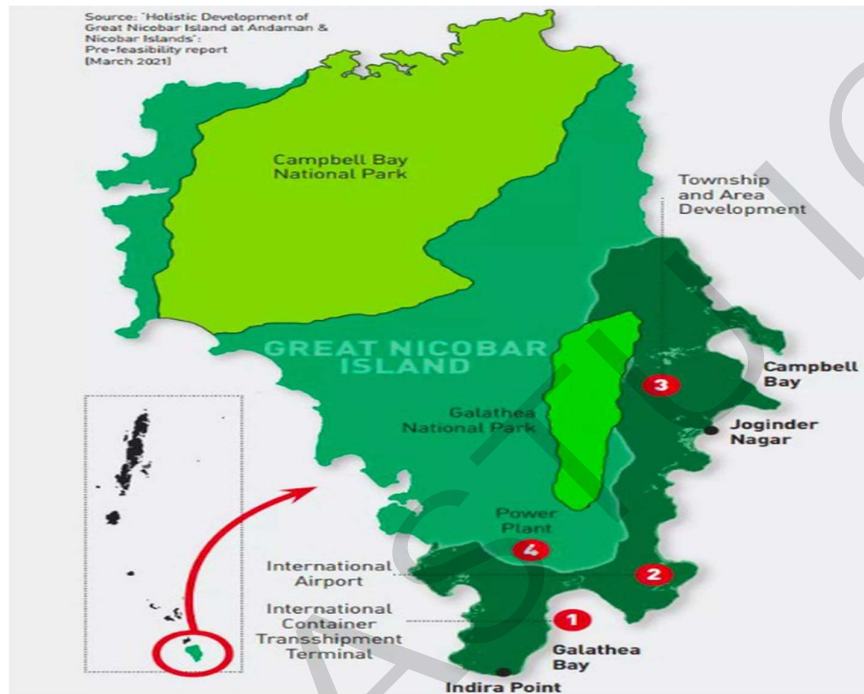
- ❖ In March, **2021**, NITI Aayog unveiled a **72,000 crore** plan called '**Holistic Development of Great Nicobar Island at Andaman and Nicobar Islands**'.
- ❖ The project requires the **diversion of about 130 sq.km** of **Forest Land** and **felling of 10 lakhs trees**.
- ❖ Also, the Indian government **denotified two wildlife sanctuaries** —the Galathea Bay wildlife sanctuary and the Megapode Wildlife Sanctuary - to make way for the project.
- ❖ Recently, the Congress party demanded an "**immediate suspension**" of all clearances granted to **NITI Aayog's mega project** on **Great Nicobar island** in light of "violations of due process", legal and constitutional provisions protecting tribal communities, and the project's disproportionate ecological and human cost.

The Island of Great Nicobar:

- ❖ It is **hilly** and covered with **lush rainforests**
- ❖ Numerous endangered and endemic species including the **giant leatherback turtle**, the Nicobar megapode, the Great Nicobar crake, the Nicobar crab-eating macaque, and the Nicobar tree shrew.
- ❖ 910 sq km with **mangroves and Pandan forests** along its coast
- ❖ The island is home to two tribal communities - the **Shompen and the Nicobarese**.

What is the NITI Aayog project?

- ❖ The proposed port **The transshipment terminal** will allow Great Nicobar to participate in the **regional and global maritime economy** by becoming a major player in cargo transshipment.
- ❖ The **proposed airport** will **support the growth** and enable Great Nicobar Island to **attract international and national visitors** to experience the outstanding natural environment and participate in sustainable tourism activity.



Why is there opposition?

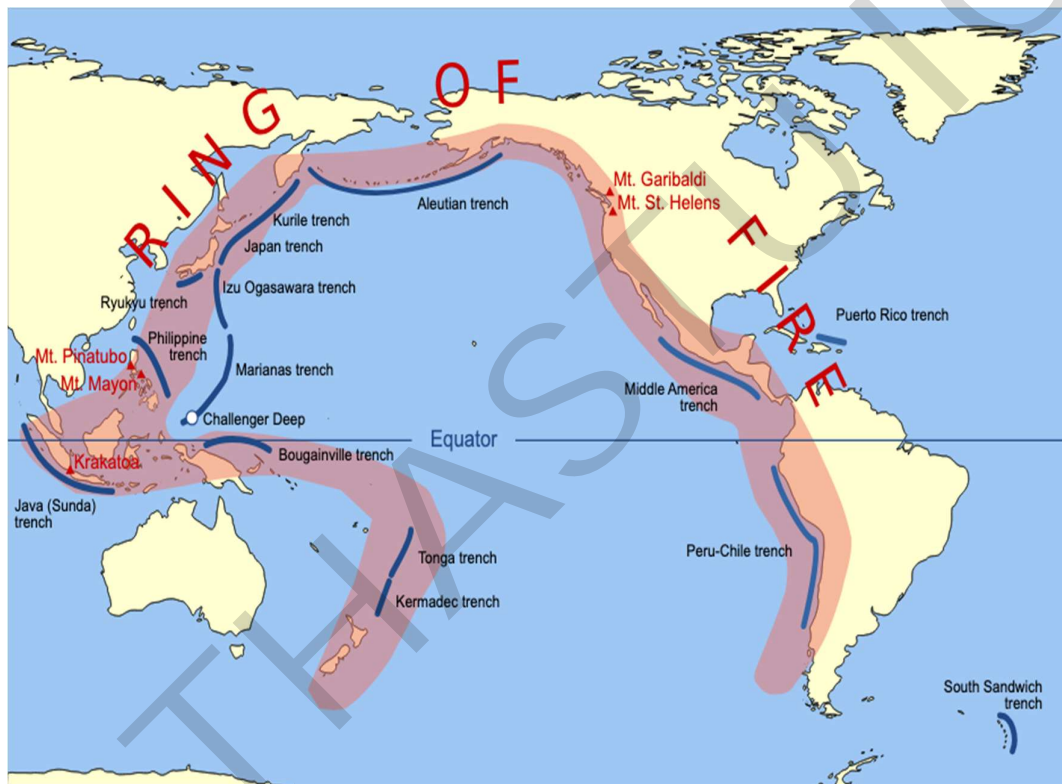
The mega project has been heavily criticised for its ecological costs and for potential violations of tribal rights.

- ❖ The project requires the **diversion of about 130 sq.km of Forest Land** and **felling of 10 lakhs trees**.
- ❖ Also, the Indian government **denotified two wildlife sanctuaries** —the Galathea Bay wildlife sanctuary and the Megapode Wildlife Sanctuary - to make way for the project.
- ❖ **Galathea Bay**, where transshipment terminal is being build, one of the **world's largest nesting sites for the giant leatherback turtle**.
- ❖ Both this species and the **Nicobar megapode** are listed in **Schedule I of the Wildlife (Protection Act), 1972** - the highest level of protection for wild animals under Indian law.
- ❖ In November 2022, the Tribal Council of Great Nicobar and Little Nicobar withdrew the no-objection certificate (NOC).

GIANT LEATHERBACK TURTLE



- ❖ Some of the land classified as **"uninhabited"** in NITI Aayog's plan is also part of the **Great Nicobarese ancestral land**.
- ❖ Since their post-tsunami resettlement, they have repeatedly sought to return to these lands. Today, the mega project also stands in the way of their demands to return.
- ❖ Since the **Shompen** have had little contact with the outside world, they **haven't yet developed immunity to infectious diseases** that affect India's general population.
- ❖ Researchers who work on disaster management have also raised concerns that proponents of the mega project have failed to adequately assess earthquake risk.
- ❖ The Andaman and Nicobar archipelago is **located in the "ring of fire"**: a seismically active region that experiences several earthquakes throughout the year.



BRAHMOS MISSILE

BrahMos Missile:

- ❖ An Indo-Russian joint venture, has a range of 290 km and is the fastest cruise missile in the world with a top speed of Mach 2.8 (nearly three times the speed of sound).
- ❖ BrahMos is named for the rivers Brahmaputra and Moskva.
- ❖ It is a two-stage (solid propellant engine in the first stage and liquid in second) missile.
- ❖ It is a multiplatform missile i.e., it can be launched from land, air, and sea.
- ❖ It operates on the "Fire and Forgets" principle i.e it does not require further guidance after launch.

India, Philippines rediscovering each other, BrahMos a game changer: envoy

Dinakar Peri
NEW DELHI

Terming the BrahMos cruise missiles inducted by the Philippines a "game changer" which provides credible capabilities, Philippines envoy Josel F. Ignacio said India was a major source for the modernisation of the Philippines armed forces which was under way. "There is a renaissance in the relationship between India and the Philippines and they are rediscovering each other," Mr. Ignacio said on Monday.

"It [the deal] is a great milestone for both countries. BrahMos is a game changer for the Philippines in that it confers credible defence and deterrent capabilities. For India, the significance is it is the first overseas export of the BrahMos and it is an affirmation of India's rising



In January 2022, the Philippines concluded a \$375-million deal with India for the BrahMos supersonic cruise missiles. PTI

capabilities and of its own indigenous defence industry. In a way, it expands India's footprint overseas," Mr. Ignacio said, speaking at the Observer Research Foundation.

In January 2022, the Philippines concluded a \$375-million deal with India for three batteries of shore-based anti-ship variant of the BrahMos supersonic cruise missiles, becoming

the first export customer for the joint venture missile between India and Russia. The first batch of missiles was delivered this April.

Defence is one the most visible areas seeing a renaissance and catching widespread interest on both sides, the envoy noted. Elaborating, he said, the cooperation was underpinned by a MoU on de-

fence cooperation signed in 2006 and this was reinforced in 2017 by a MoU between the Defence Ministries on industry and logistics cooperation.

New dimension

"This opened a new dimension in the cooperation because this opened up equipment transfers and purchases that we are seeing now," the envoy said. This MoU is further backed by an implementing arrangement concerning defence material and equipment that facilitates government-to-government procurement.

"The Philippines over the past few years has seen India as one of the major sources of modernisation of the armed forces," Mr. Ignacio said. The Philippines armed forces are currently in Phase 3 modernisation termed Horizon-3, he said.