



Work together to uphold the spirit of Constitution: Murmu

POLITY & GOVERNANCE



CONTEXT: President Droupadi Murmu released a commemorative coin at an event held at the historic Central Hall of Samvidhan Sadan (old Parliament building) to commemorate 75 years of the adoption of the Constitution.

President Droupadi Murmu noted the Indian Constitution as a progressive document, and it is the responsibility of the executive, legislature and the judiciary to work together to better the lives of the common people in accordance with the spirit of the Constitution. Ms. Murmu hailing the Constitution as a “living document”, noted the far-sighted of the framers of the Constitution to provide for a system that could adopt new ideas, reflecting the needs of changing times. Vice-President Jagdeep Dhankhar stressed for the

separation of powers between the three organs of the state — executive, legislature and judiciary. Lok Sabha Speaker Om Birla urged members to follow the tradition of constructive and dignified debates, set by the Constituent Assembly, in both Houses of Parliament.

Prime Minister Narendra Modi, Deputy Chairman of the Rajya Sabha Harivansh, Leader of the Opposition in the Rajya Sabha Mallikarjun Kharge, Leader of the Opposition in the Lok Sabha Rahul Gandhi, Leader of the Rajya Sabha J.P. Nadda and Parliamentary Affairs Minister Kiren Rijiju were seated on the dais.

Addressing an event at the Supreme Court to mark Constitution Day, the Prime Minister described the Constitution as a “living stream” that has lived up to the needs and expectations of the country, including the challenge of Emergency in 1975. Mr. Modi hailed the Constitution as a “guiding light” at a time of transformation for India and asserted that his government has strengthened constitutional values by taking a host of welfare measures to bring social and financial equality.

The Prime Minister cited a host of welfare measures undertaken by his government, including the opening of bank accounts for more than 53 crore people, homes for over four crore poor families, the scheme to provide cooking gas cylinders to needy women, and health insurance scheme for the poor, to highlight the efforts at ensuring social and economic equality envisaged by the Constitution.



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Bill designed to manipulate status of Waqf properties, says AIMPLB

POLITY & GOVERNANCE

CONTEXT: The All-India Muslim Personal Law Board (AIMPLB) is likely to explore legal options in event of Waqf Bill passed by Parliament in its present form.

The All-India Muslim Personal Law Board (AIMPLB) and other Muslim organizations, including Jamaat-e-Islami Hind and Jamiat Ulama-i-Hind, have expressed strong opposition to the proposed Waqf Amendment Bill, 2024, which they believe will undermine Waqf properties across India. The organizations presented their concerns to the Joint Parliamentary Committee (JPC) on Waqf, accusing it of being biased and favouring those with no legitimate stake in the issue. S.Q.R. Ilyas, the AIMPLB spokesman, claimed the amendments were designed to manipulate the status of Waqf properties. Arshad Madani of Jamiat Ulama-i-Hind warned of serious consequences if the Bill becomes law, criticizing the Prime Minister's statement that Waqf law has no place in the Constitution. The Board plans to use democratic and constitutional means to push for the withdrawal of the amendments.

Arshad Madani of Jamiat Ulama-i-Hind urged regional parties like Janata Dal(U) and Telugu Desam Party to oppose the Waqf Amendment Bill in the Lok Sabha, criticizing those who support the bill for political gain at the expense of Muslims. S.Q.R. Ilyas, the AIMPLB spokesman, highlighted that the Board had presented objections to the Joint Parliamentary Committee and encouraged citizens, including non-Muslims, to reject the Bill, with nearly five crore people sending objections via a QR code developed by the Board.

Moody's, Fitch take negative rating actions on Adani Inc.

ECONOMICS & DEVELOPMENT

CONTEXT: All listed entities of the Adani group fell on the bourses after hit by a U.S. Court indictment of chairman Gautam Adani and some employees with civil charges from the U.S. market watchdog and downgrading by Fitch Ratings and Moody's to negative rating.

Adani Green Energy Ltd. (AGEL), at the centre of the fresh turmoil engulfing the group over charges that include bribery, securities and wire fraud, and false statements, dropped to a new 52-week low of ₹ 893, before closing at ₹ 899.4 on the NSE. Moody's expect a broader credit impact from AGEL's crisis on group firms citing governance risks for its action.

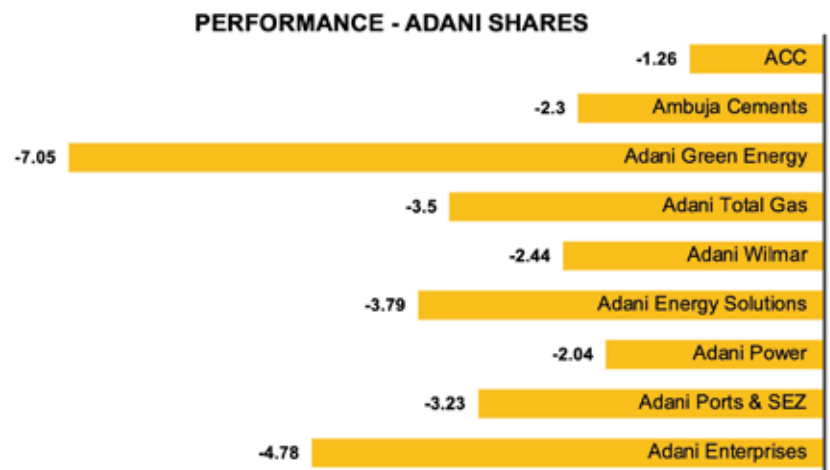


FIGURE: Bar chart representation of the performance of the ADANI shares

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In NPP win, signs of inclusive and collaborative politics

INTERNATIONAL RELATIONS

CONTEXT: The recent parliamentary election in Sri Lanka showed a significant shift, with the Janatha Vimukthi Peramuna (JVP)-led National People’s Power (NPP) coalition gaining broad appeal across the country, including in the Northern and Eastern Provinces, which are home to many ethnic minorities.

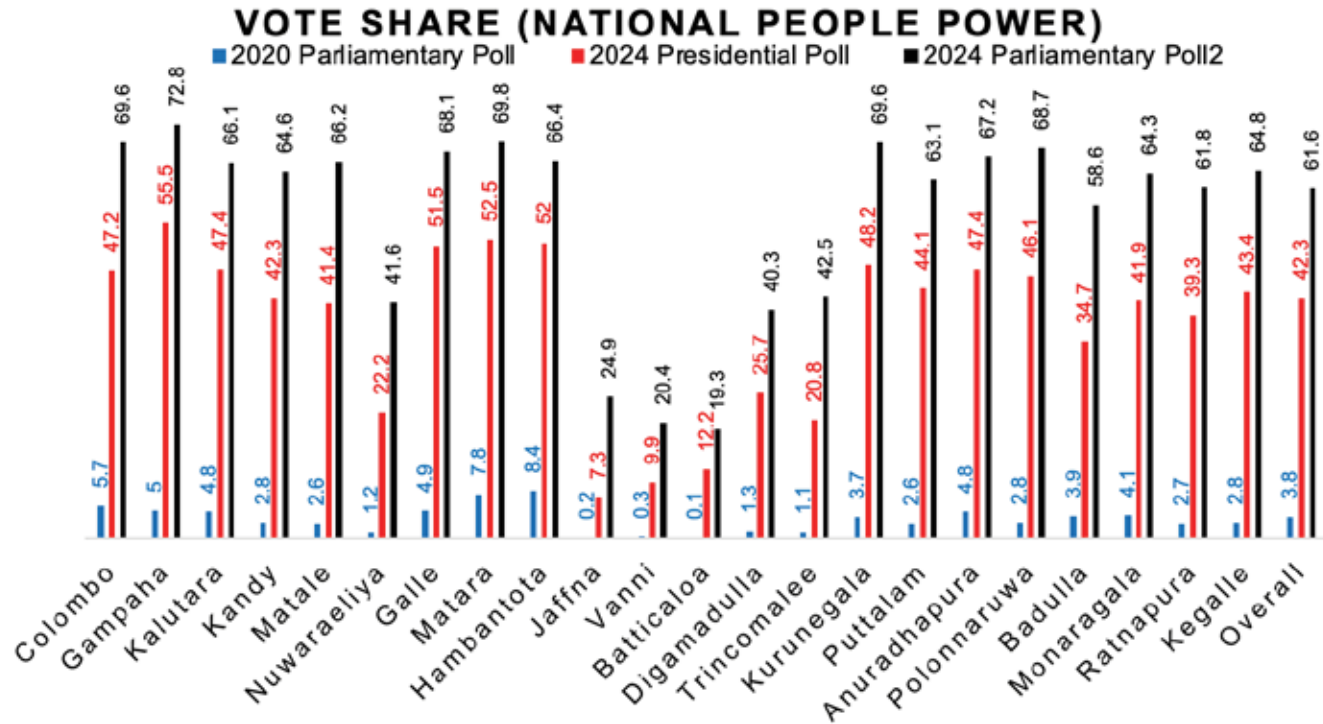


FIGURE: Column chart representation of the vote share of the National People’s Power (NPP).

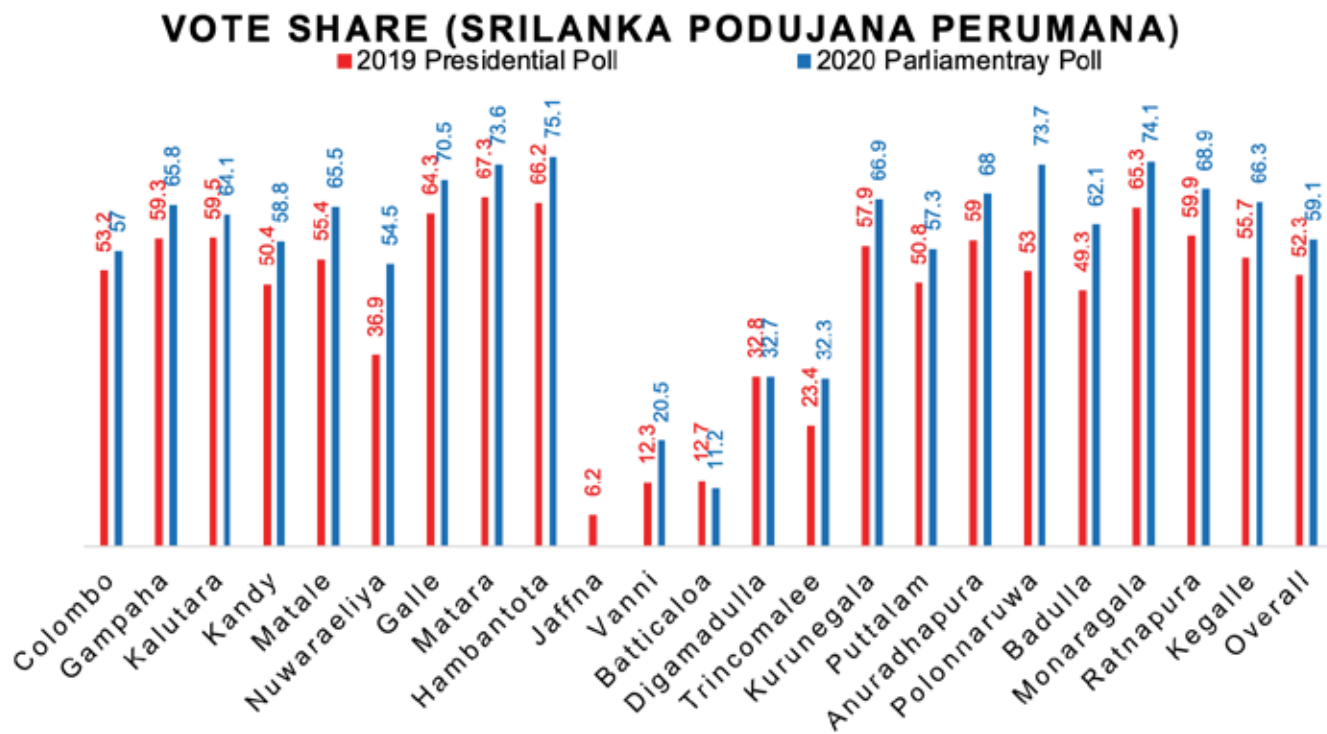
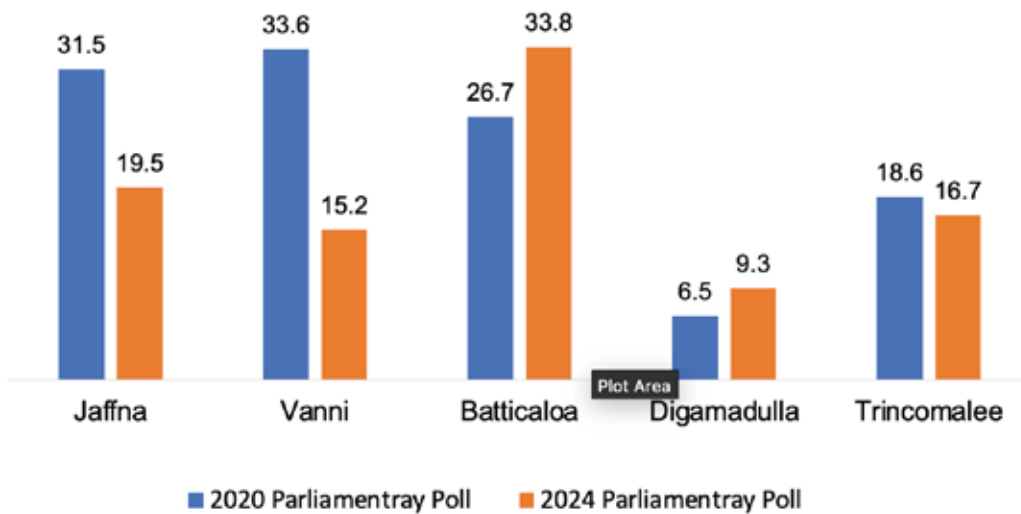


FIGURE: Column chart representation of the vote share of the Sri Lanka Podujana Perumana.

VOTE SHARE (Illankai Tamil Arasu Kadchi)



In the presidential race, the NPP had a clear advantage in November, as its main rival, the Samagi Jana Balawegaya (SJB), struggled. The NPP went on to secure a two-thirds majority, a sharp contrast to 2020, when it garnered less than 10% of the vote in most districts and only 3.8% of the total vote.

In the 2024 presidential election, Anura Kumara Dissanayake of the JVP-led National People's Power (NPP) did not secure more than 50 % of the vote in the first round and had single-digit support in the Northern Province. However, in the 2024 parliamentary elections, the NPP's vote share surged, surpassing 50 % in 16 electoral districts, a significant improvement. The NPP's 2024 parliamentary victory was more substantial than the Sri

Lanka Podujana Peramuna (SLPP)'s 2020 win, with the NPP's vote share rising by 19.3 percentage points, compared to the SLPP's 6.8-point increase. Unlike the SLPP in 2020, the NPP contested all districts, including Jaffna, where the SLPP did not field a candidate four years ago.

In the 2024 parliamentary elections, the NPP significantly outperformed the Illankai Tamil Arasu Kadchi (ITAK), winning in four out of five districts in the Northern and Eastern provinces, including a stronger performance in Jaffna. Political experts suggest that voters in the North, especially in Jaffna, are moving away from Tamil nationalist parties focused on political settlements and are increasingly concerned with livelihood issues. The ruling coalition's focus on anti-corruption and comprehensive reforms has resonated with voters, including in minority-dominated areas, positioning the coalition as a viable alternative for these communities.

Six decades since Thumba launch, slew of private entities prepare for flight

SCIENCE & TECHNOLOGY



CONTEXT: On November 21, 1963, India launched a Nike-Apache sounding rocket from Thumba, Kerala, marking a significant step for the Indian Space Research Organisation (ISRO) in mastering solid propellant technology, which is now used in India's launch vehicles. Around this anniversary, India also launched its first satellite aboard a SpaceX rocket, while several private sector companies in India prepared for their own space launches. Launches of merit

NewSpace India, Ltd. launched the 4,700-kg GSAT-N2/GSAT-20 satellite aboard a SpaceX Falcon 9 rocket from Florida, as its weight exceeded the capacity of India's most powerful rocket, the LVM-3. GSAT-N2 is a high-throughput communication satellite designed by ISRO to improve broadband services in underserved regions, including the northeast, Andaman & Nicobar Islands, and Lakshadweep, as well as support services like in-flight internet and the Smart Cities Mission. The satellite was placed in a geostationary transfer orbit (GTO), from where it will use its thrusters to reach a geostationary orbit at 63° E longitude.

ISRO is preparing to launch its PSLV-C59 mission, which will carry the European Proba-3 spacecraft to study the Sun. The launch vehicle, in its extended length (XL) configuration, was last used for the Aditya-L1 mission in September

2023. The twin Proba spacecraft arrived in Chennai on November 6 and will soon be integrated with the PSLV. The liftoff is scheduled for 4 p.m. IST on December 4. Meanwhile, India's astronaut-designate, Shubhanshu Shukla, who is set to travel to the International Space Station in 2025, is undergoing training at the European Space Agency's European Astronaut Centre to familiarize himself with the European modules of the station.

From the private sector

Four Indian private companies are preparing to launch their payloads into orbit, with Pixxel, an Indian-American company, unveiling its "Fireflies" constellation of six hyperspectral satellites, set for launch early next year. Each satellite weighs around 50 kg and offers a 5-meter spatial resolution, scanning 40-km swaths in over 150 spectral bands. This batch is part of a planned 24-satellite constellation, which will provide data to monitor crop diseases, water stress, deforestation, and ocean pollution in real time.

Several Indian private companies are preparing for satellite launches. GalaxEye Space will launch its "Tech Demo" aboard the PSLV's Orbital Experimental Module (POEM) to test subsystems of a synthetic aperture radar (SAR). PierSight Space will also use the PSLV POEM platform for its 'Varuna' mission, demonstrating a deployable reflect array antenna and testing SAR and avionics. HEX20's 'Nila' satellite, a 5-kg cubesat for data processing, will launch aboard SpaceX's Transporter 13 mission in February 2025, with a ground station in Thiruvananthapuram. Catalyx Space's SR-0 satellite, launched on the Small Satellite Launch Vehicle, successfully completed its three-month mission, achieving all objectives before re-entering Earth's atmosphere on November 3.

AAKA Space Studio launched India's first Space Analog Mission in Leh, Ladakh, in collaboration with the ISRO Human Spaceflight Centre, IIT-Bombay, and the University of Ladakh. The site was chosen for its resemblance to lunar and Martian surfaces. A person from AAKA Space Studio will stay in the habitat for 21 days to test sustainability, life-support systems, and isolation. Meanwhile, SatSure is partnering with the Ministry of Electronics and Information Technology on India's largest rural property mapping program. Using drones from the 'Svamvita' initiative, SatSure will apply machine-learning tools to analyze images and extract data on building footprints, roads, and water bodies for over two lakh villages.

Space science updates

India celebrated its full membership in the Square Kilometre Array Observatory (SKAO), an international project to build the world's most advanced radio telescope in Australia and South Africa. India will contribute funding and advanced engineering for telescope components in exchange for access to scientific data. The first scientific result from the Aditya-L1 spacecraft's Visible Emission Line Coronagraph was published, where researchers predicted the timing of a coronal mass ejection using data from the coronagraph. These ejections can affect satellites, electricity grids, and communications. Additionally, the Departments of Space and Biotechnology have signed agreements to conduct biological experiments on the upcoming Bharatiya Antariksh Station, India's future space station.

SC suggests fresh guidelines to deal with unruly flyers

POLITY & GOVERNANCE

CONTEXT: The Supreme Court on Tuesday asked the Director-General of Civil Aviation to consider putting in place more comprehensive guidelines to deal with unruly passengers and fix accountability on flight crews.

The Supreme Court directed the Directorate General of Civil Aviation (DGCA) to consider seating arrangements for senior citizens on flights to protect them from misbehaviour or disturbance, following a petition by a 72-year-old woman. The woman described a distressing incident on an Air India flight in November 2022, where a drunk passenger urinated on her. She called for strict, zero-tolerance guidelines for airlines and civil authorities. The Union government, represented by Additional Solicitor-General Aishwarya Bhati, stated that action had been taken regarding this and similar incidents, and that existing guidelines were in place. However, the court requested the DGCA to review the suggestions in the petition and consider updating the guidelines. The case will be reviewed in eight weeks.

The petitioner, represented by senior advocate Gopal Sankaranarayanan, accused Air India and the DGCA of failing to properly care for the elderly woman after the incident in which a drunk passenger allegedly urinated on her. The woman claimed that the cabin crew facilitated the exchange of her phone number with the passenger, allowing him to offer reimbursement for her damaged belongings. Additionally, she was made to sit in the same urine-soaked seat and was pressured by the crew to settle with the passenger.

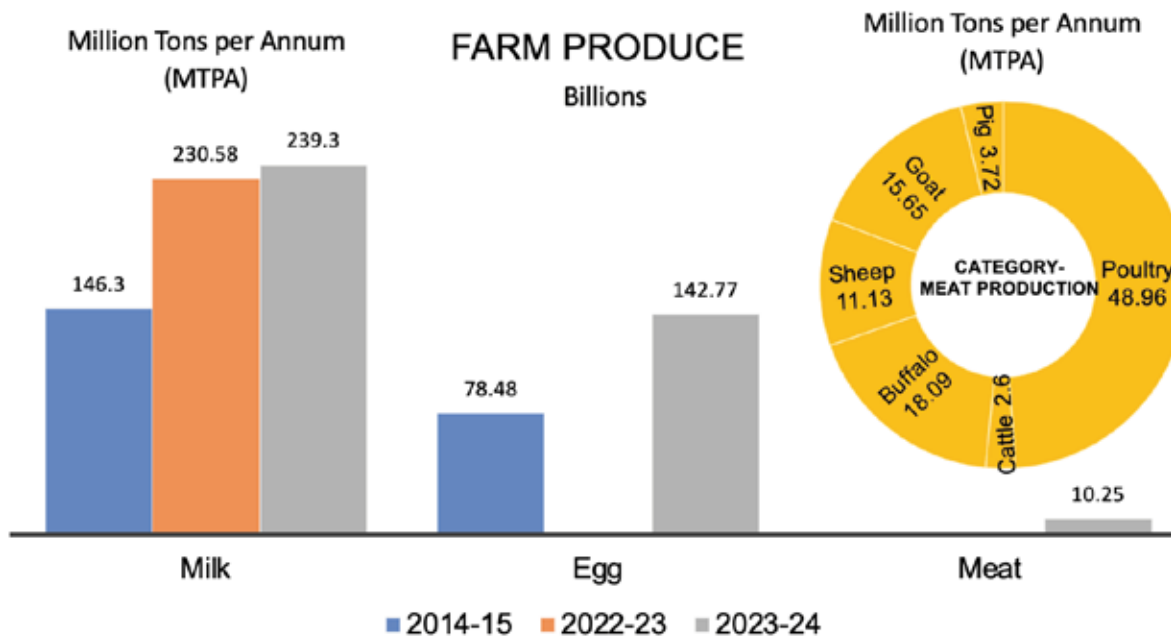
No-fly list

In a petition from May of the previous year, concerns were raised about the limited action taken against unruly passengers, with only 63 individuals added to the "no-fly" list, despite many more incidents going unaddressed. The petition emphasized the need for better passenger safety and security, especially for India's 150 million senior citizens. It also criticized media reports on an incident involving a senior citizen, claiming that these reports, based on conjecture, violated her rights and potentially influenced the legal process. The petitioner requested the court to consider guidelines to prevent such media coverage before cases are resolved.

Milk, meat and egg production increased in 2023-24: Centre

POLITY & GOVERNANCE

CONTEXT: Union Minister Rajiv Ranjan Singh released the Basic Animal Husbandry Statistics, 2024, prepared by the Animal Husbandry Department.



India registered a 3.78 % increase in 2023-24 over the 2022-23. India registered a Compounded Annual Growth of 6.8 % over the past 10 years from 78.48 billion in 2014-15. The total meat production registered a compound annual growth of 4.85 % over the past 10 years.

FIGURE: Column chart representation of the farm produce. Inset Pie chart representation of category of meat produced.

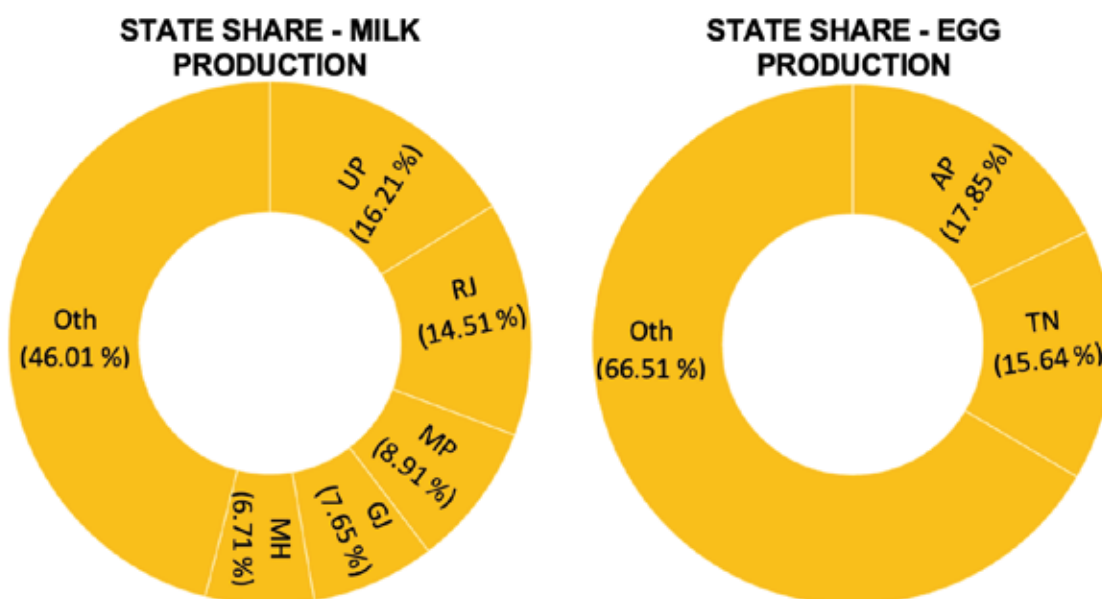


FIGURE: (L) Pie chart representation of the share of states in milk production. (R) Pie chart representation of the share of states in egg production.

'No funds released for Adani's Colombo port project so far'

ECONOMICS & DEVELOPMENT

CONTEXT: The U.S. International Development Finance Corporation (DFC) has not yet disbursed the \$ 553 million loan for the Adani-controlled Colombo Port project, as it continues to conduct due diligence following recent U.S. Department of Justice (DoJ) and Securities and Exchange Commission (SEC) indictments related to the Adani Group.

The DFC's review comes amid concerns over the group's alleged violations of U.S. foreign corruption laws. While the Adani Group maintains that the Colombo Western International Terminal (CWIT) project is progressing as planned, with Phase 1 set for commercial operations in Q1 2025, the Sri Lankan government has expressed concern over the U.S. indictments and is awaiting a report from its Foreign and Finance Ministries to decide on the project's future. The controversy surrounding the project highlights broader issues related to Adani's international infrastructure and energy ventures, casting doubt on the governance and legal standing of the company.

Deep depression over the Bay of Bengal likely to intensify into cyclonic storm; alerts issued

POLITY & GOVERNANCE

CONTEXT: The Regional Meteorological Centre (RMC) notified the intensification of a deep depression over the southwest Bay of Bengal into a cyclonic storm on Wednesday.

As of 5:30 p.m. on Tuesday, a depression-turned-storm was moving north-north-westwards at 8 kmph, located about 240 km southeast of Trincomalee, 520 km southeast of Nagapattinam, 640 km southeast of Puducherry, and 720 km southeast of Chennai. The storm is expected to continue moving towards the Tamil Nadu coast, skirting the Sri Lankan coast over the next two days. Meteorological authorities are closely monitoring the storm's movement and intensity.

Rain forecast

On Wednesday, light to moderate rain is expected in many areas, with thunderstorms and lightning likely in Tamil Nadu, Puducherry, and Karaikal. Heavy to very heavy rain, with extremely heavy rain at isolated locations, is predicted in Cuddalore, Mayiladuthurai, and Karaikal, where a red alert has been issued. An orange alert has been issued for Chennai and several other districts, including Tiruvallur, Kancheepuram, and Villuppuram, with heavy rain expected at isolated places.

The landfall location of the system is still uncertain, with meteorologists expecting more clarity by Wednesday evening. Some models suggest the system might split into two. Rainfall data from Tuesday shows significant rainfall in various locations, including Nagapattinam (12.6 cm) and Cuddalore (6.7 cm).

Timely reiteration

POLITY & GOVERNANCE

CONTEXT: The Supreme Court of India upheld the inclusion of the terms 'secular' and 'socialist' in the Preamble of the Constitution.

The Constitution's original framers viewed it as inherently secular, emphasizing equality and religious freedom. The term 'socialist' was added in the 42nd Amendment during the Emergency, despite opposition from Dr. B.R. Ambedkar, who believed it could restrict future economic policy. The Supreme Court rejected attempts to remove these terms, even though petitions were filed 44 years after the amendment.

In its ruling, the Court reaffirmed that secularism is a fundamental feature of the Constitution, as established in the S.R. Bommai case (1994). It clarified that secularism means treating all faiths equally without discrimination. The inclusion of 'socialist' in the Preamble has not hindered market reforms, as it represents the principle of economic and social justice, ensuring no citizen is disadvantaged. The Court dismissed arguments against these terms due to their inclusion during the Emergency, noting that the 44th Amendment, which added them, was debated in 1978. The verdict serves as a timely affirmation of these core values as the Constitution marks 75 years.

From a republic to a republic of unequals

POLITY & GOVERNANCE

CONTEXT: The Constitution Day on November 26, 2024, marked 75 years since the adoption of India's Constitution. The Constituent Assembly debates reflected a broad intellectual engagement, encompassing various ideologies, to create a political identity that balanced the interests of diverse cultural groups. While the Constitution embraced liberalism, which emphasizes individual freedom and minimal state interference, the framers recognized the need for the state to address social and economic inequalities prevalent at the time of Independence. They advocated for state intervention to reduce inequality, leading to policies like affirmative action and reservations, aiming to create equal opportunities for all citizens and fulfill the constitutional vision of equality.

An egalitarian outlook

The Indian Constitution aims to create an egalitarian society by minimizing economic inequalities, reflecting the principles of egalitarian liberalism, as outlined by John Rawls. These principles include equal basic liberties, equal opportunities, and addressing differences. The Constitution's fundamental rights (Part III) and Directive Principles of State Policy (DPSP, Part IV) embody these principles. Specifically, Article 38(2) calls for the state to reduce income inequality and eliminate disparities in status, facilities, and opportunities. Article 39(c) stresses that the economic system should avoid concentrating wealth and production in a way that harms the common good. The Constitution emphasizes reducing inequalities and ensuring equal opportunities through state intervention.

The Supreme Court of India has consistently upheld the principle of social and economic justice as outlined in the Constitution. In the 1982 case *D.S. Nakara & Others vs Union of India*, the Court emphasized that the Constitution's socialist framework aims to provide a decent standard of living and social security for working people. In the 1996 case *Air India Statutory Corporation vs United Labour Union*, the Court reaffirmed that the Indian Constitution seeks to establish an egalitarian society, ensuring social and economic justice, individual dignity, and equality of status and opportunities, as reflected in the Preamble, Fundamental Rights, and Directive Principles of State Policy (DPSP).

In *Samatha vs State of Andhra Pradesh* (1997), the Supreme Court interpreted "socialism" in the Constitution as a principle aimed at reducing income inequalities and providing equal opportunities to create an egalitarian society. Justice V.R. Krishna Iyer, in another case, emphasized that both public and private resources should be seen as community resources, aligning with the constitutional goal of redistributing resources to reduce inequality. However, the Court recently overturned this interpretation, not linking it to Article 39(c), which grants the state the power to regulate the economic system and prevent wealth concentration, thus promoting an egalitarian society.

Economic reforms and inequality

After the adoption of neoliberal economic reforms in India, the constitutional vision of a welfare state and egalitarian society was sidelined, leading to rising inequality. Research by Lucas Chancel and Thomas Piketty shows that income inequality, which had decreased due to welfare interventions post-Independence, worsened after the 1990s reforms. The top 1% now controls 22% of total income, reversing progress made in reducing inequality. Their 2024 findings indicate that the top 1% hold 22.6% of income and 40.1% of wealth. Additionally, the "State of Inequality in India Report" (2022) highlights a widening wage gap, with the top 10% earning significantly more than the rest, pushing the majority into poverty, which undermines the constitutional goal of reducing inequality.

An overlap with social inequality

The 2024 report "Towards Tax Justice and Wealth Redistribution in India" by the World Inequality Lab highlights the overlap between economic and social inequality in India. By 2022-23, 90% of billionaire wealth was held by the upper castes, with minimal representation from Scheduled Tribes, Other Backward Classes (OBC), and Scheduled Castes. The share of wealth held by OBCs has declined from 20% to 10%, while the upper castes' share has increased. Oxfam International also points out the rise in billionaires from 9 in 2000 to 119 in 2023, and the extreme income inequality, where a minimum wage earner would need 941 years to earn what a top corporate executive makes in a year. The report suggests that the neoliberal economic order is undermining the constitutional goal of reducing inequality and creating an egalitarian society. Social and economic inequalities are deepening, with the upper castes gaining more wealth, which threatens the constitutional vision and political democracy, as warned by Babasaheb Ambedkar. The passage calls for a critical evaluation of India's political and economic practices within the constitutional framework.

court opined that 'socialism' in the Indian context primarily means a welfare state that provides equality of opportunity and does not prevent the private sector from thriving. Similarly, over time India has developed its own interpretation of 'secularism'. The state neither supports any religion nor penalises the profession and practice of any faith. In essence, the concept of secularism represents one of the facets of right to equality.

Why is it important?

The initial years after Independence fostered 'democratic socialism' characterised by centralised planning and many industries being established by the state. The period of 1960s and 70s saw nationalisation of banks and insurance, higher tax rates and various regulations. The economy, though declared as mixed economy where public and private enterprises would co-exist, displayed the characteristics of classical socialism with license controls and regulations. Starting from 1991, our economy has evolved from such socialistic pattern to a market-oriented model. The ensuing growth has uplifted vast majority of people from abject poverty in the last three decades. However, there is also growing inequality that needs to be addressed. As the court observed, our socialism continues to address the needs of the poor through schemes such as MGNREGA, subsidised food grains, direct benefit transfers for women and farmers etc. Hence, it is imperative that such socialism continues to guide the actions of the state for the welfare of the needy while private enterprise flourishes resulting in increased employment and strong economic growth. The spirit of our 'unity in diversity' should be equally preserved by upholding the values of secularism.

Trump vows new tariffs on Mexico, Canada, China

INTERNATIONAL RELATIONS

CONTEXT: President-elect Donald Trump threatened to impose sweeping new tariffs on Mexico, Canada and China as soon as he takes office as part of his effort to crack down on illegal immigration and drugs.

Former President Donald Trump threatened to impose a 25% tariff on all products from Mexico and Canada and an additional 10 % tariff on goods from China, as one of his first executive orders. The measures were announced, citing concerns over illegal immigration and crime, despite southern border apprehensions being at a four-year low. In response, Canadian Prime Minister Justin Trudeau had a productive conversation with Trump about trade and border issues. Mexican President Claudia Sheinbaum criticized Trump's tariff proposal, while the Chinese Embassy warned of negative consequences for all parties in the event of a trade war.

Netanyahu announces support for ceasefire proposal with Hezbollah

INTERNATIONAL RELATIONS



CONTEXT: Israeli Prime Minister Benjamin Netanyahu announced recommending a U.S.-brokered ceasefire agreement with Hezbollah to his Cabinet, following intense Israeli airstrikes in Lebanon that killed at least 23 people.

The ceasefire deal aims to end nearly 14 months of fighting between Israel and Hezbollah. It would include a two-month halt in hostilities, Hezbollah withdrawing from southern Lebanon, and the deployment of Lebanese troops and UN peacekeepers in the region. The agreement would be monitored by an international panel led by the U.S. However, Israel demands the right to strike Hezbollah if the group violates the deal, a condition rejected by Lebanese officials. Hezbollah continues to fire rockets into northern Israel.

Scot-free

INTERNATIONAL RELATIONS

CONTEXT: President-elect Donald Trump received a significant legal reprieve as Special Counsel Jack Smith of the Department of Justice requested to drop the prosecution against him for attempting to overturn the 2020 election results, a request that was granted by the District Judge overseeing the case.

Donald Trump, former U.S. President, faces criminal charges related to the January 6 Capitol attack. Judge Tanya Chutkan dismissed election interference charges "without prejudice," allowing for potential future prosecution after Trump's term ends. Special Counsel Jack Smith also sought to drop federal charges involving mishandling classified documents, citing DOJ rules that prevent indicting a sitting President. Additionally, two other criminal cases—election interference in Georgia and a fraud conviction in New York—are in legal limbo, with delays pending appeals.

Despite facing impeachment twice and numerous legal charges, Donald Trump's recent resounding win has provided him with a fresh slate for his second term. His victory suggests that many voters were not influenced by the ongoing legal cases against him. With significant support from his base and control of both Houses of Congress by Republicans, Trump has the opportunity to shape domestic and foreign policies. The key question now is whether he will continue down a divisive path on issues like immigration, reproductive rights, and the economy, or if he will adopt a more bipartisan approach to unite the country.

SC ruling on socialism, secularism

POLITY & GOVERNANCE

CONTEXT: A Division Bench of the Supreme Court led by the Chief Justice of India dismissed pleas challenging the inclusion of the words 'socialist' and 'secular' in the Preamble to our Constitution.

What is the history of Preamble?

The original Preamble adopted on November 26, 1949, declared India a sovereign, democratic, republic. Our Constituent Assembly consciously avoided the word 'socialist' as they felt that declaring the economic ideal of a country in its Constitution's preamble was not appropriate. People should decide what suits them according to time and age.

Likewise, Indian secularism is different from western secularism. In the latter, the state and religion are strictly separated and the government does not interfere in religious affairs. However, in India, the state enjoys the power to regulate the economic, financial, political and secular aspects associated with religious practice. It can also provide for social welfare and reform in religious practices. Further, various provisions of the Constitution that include right to practise any religion, non-discrimination on the basis of religion in any affairs of the state embodied the 'secular' values of our Constitution. Hence, in the Constituent Assembly, the amendment to introduce the word 'secular' in the Preamble was not accepted.

In *Berubari case* (1960), the Supreme Court opined that the Preamble is not a part of the Constitution and thus not a source of any substantive power. Subsequently, in *Kesavananda Bharati case* (1973), the Supreme Court reversed its earlier opinion and said that the Preamble is part of the Constitution and that it should be read and interpreted in the light of the vision envisioned in the Preamble. It also held that the Preamble is subject to the amending power of Parliament as any other provision of the Constitution. The 42nd Constitutional Amendment in 1976 inserted the words 'Socialist', 'Secular' and 'Integrity' in the Preamble.

What was the current case?

The current case was filed by former Rajya Sabha MP Subramanian Swamy, advocate Ashwini Upadhyay and others. Mr. Upadhyay and others had opposed the insertion of the words 'socialist' and 'secular' in the Preamble. They argued that these were included during the Emergency and forced the people to follow specific ideologies. They felt that since the date of adoption by the Constituent Assembly was mentioned in the Preamble, no additional words can be inserted later by Parliament. Mr. Swamy was of the view that subsequent amendments to the Constitution including the 44th Amendment in 1978 during Janata Party rule after emergency had supported and retained these two words. Nevertheless, he was of the view that these words should appear in a separate paragraph below the original Preamble.

What did the court rule?

The court dismissed the pleas and held that 'socialism' and 'secularism' are integral to the basic structure of the Constitution. It observed that the Constitution is a 'living document' subject to the amendment power of Parliament. This amending power extends to the Preamble as well and the date of adoption mentioned in it does not restrict such power. The



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