

# CURRENT AFFAIRS

## 25<sup>th</sup> July 2022

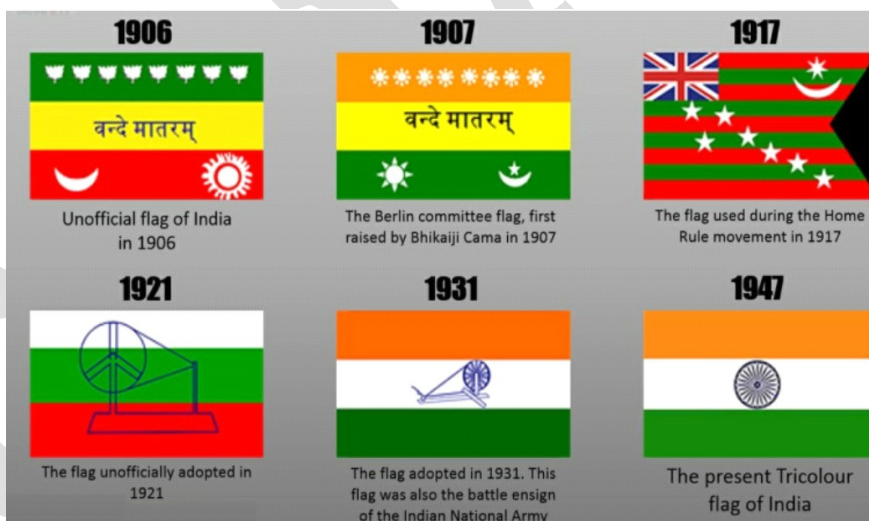
### FLAG CODE

**SYLLABUS:** GS PAPER-I & II (INDIAN MODERN HISTORY, GOVERNMENT POLICIES & INTERVENTIONS)

**CONTEXT:** As the central government launches a **Har Ghar Tiranga** campaign from **August 13**, the Ministry of Home Affairs on Wednesday amended the Flag Code of India 2002 **to allow for the national flag to be flown even at night**. Earlier, the flag could be hoisted only between sunrise and sunset.

### HISTORICAL BACKGROUND

- The first-ever national flag was hoisted in 1906 on August 7 at the Parsee Bagan Square, Lower circular road, Calcutta. It consisted of three horizontal stripes of yellow, red, and green.
- Subsequently, in 1921, freedom fighters **Pingali Venkayya** proposed another national flag design to Mahatma Gandhi, which consisted of two red and green bands.
- Finally, after many changes, the tricolor flag was adopted at the Congress Committee meeting held in Karachi in 1931. The present flag was presented at a meeting in the constituent assembly held in 1947.



### RULES FOR DISPLAYING THE TRICOLOR FLAG

- **The Emblems and Names (Prevention and Improper Use) Act, 1950**

The said act restricts the use of the national flag, the official seal of the President, and the coat of arms, which the government departments use. Similarly, Ashoka Chakra, pictorial representation of Mahatma Gandhi and the Prime Minister is also restricted under the act.

- **Prevention Of Insults to National Honour Act, 1971**

The act prohibits the desecration of India's national symbols, including the Constitution, national flag, Indian map, national anthem, and more. Anyone who is found insulting these symbols shall be punished with imprisonment for a term which may extend up to 3 years, a fine, or both.

### ABOUT INDIAN FLAG CODE

- The code of Indian flag **came into effect in the year 2002**. According to the code, the unrestricted display of the Tricolor flag of India was permitted provided that the dignity of the flag was being respected.

- The code was an effort to **combine the laws, practices, and conventions which ruled the protection of the dignity of the national flag.**
- The flag code of 2002 is divided into several parts and enlisted below:
  1. A basic description of the tricolor.
  2. Applicable rules about the display of the flag by various private and public bodies and varying educational institutes.
  3. Applicable rules about the display of the flag by the government and its departments.

#### **FEATURES OF THE FLAG CODE:**

- Removal of restriction on the display of the national flag by government bodies, educational institutes, and other applicable entities enlisted in the Indian flag code pdf. Exceptions to the same are mentioned in the Emblems and Names Act, 1950, and the Prevention of Insults to National Honour Act, 1971.
- The tricolor is not meant for commercial uses and must not be dipped as a salute to any person or thing.
- The tricolor should be placed distinctly to occupy a place of honor.
- The Indian flag must always be hoisted swiftly while it should be lowered ceremonially.
- The Indian flag should not be used for any festivities as an item of decoration.
- The Indian flag, if damaged, should be disposed of off in a manner appropriate with the dignity of the flag.
- For any official purpose, only those flags consistent with the specifications laid down by the Bureau of Indian Standards and bearing their special mark can be brought into use.
- In a scenario where the death of a head of state occurs or during a state funeral, the tricolor may be flown at half-mast when the period of mourning is continuing. But, if such an event coincides with a day of national importance, such as the Independence Day or the republic day, then the national flag must be flown at half-mast only at the building where the deceased person's body is lying.

## **PUBLIC SAFETY ACT**

**SYLLABUS:** GS PAPER-III (J&K SEPARATISM, FUNDAMENTAL RIGHTS)

**CONTEXT:** Families of several youths taken into preventive detention this year under the controversial Public Safety Act, which allows detention for up to two years without a trial, allege their kin were "shifted outside jails and held incommunicado" in violation of the provisions of the Act.

#### **ABOUT PUBLIC SAFETY ACT**

- The Jammu & Kashmir Public Safety Act (PSA), 1978 is a preventive detention law, under which **a person is taken into custody to prevent him or her from acting in any manner that is prejudicial to "the security of the state or the maintenance of the public order"**.
- It is remarkably similar to the National Security Act that is used by other state governments for preventive detention.
- It **comes into force by an administrative order passed either by Divisional Commissioner or the District Magistrate** and not by a detention order by police based on specific allegations or for a specific violation of laws.

## ISSUES PERTAINING PUBLIC SAFETY ACT

### Detention Without Trial:

- The PSA allows for the detention of a person without a formal charge and without trial.
- It can be slapped on a person already in police custody; on someone immediately after being granted bail by a court.
- Unlike in normal circumstances, a person who is detained under the PSA need not be produced before a magistrate within 24 hours of the detention.

### No Right to File Bail Application:

- The detained person does not have the right to move a bail application before the court, and cannot engage any lawyer to represent him or her the detaining authority.

### Limited legal remedies:

- The only way this administrative preventive detention order can be challenged is through a habeas corpus petition filed by relatives of the detained person.
- The High Court and the Supreme Court have the jurisdiction to hear such petitions.
- However, if the order is quashed, there is no bar on the government passing another detention order under the PSA and detaining the person again.

### Discretionary powers:

- The District Magistrate who has passed the detention order has protection under the Act, which states that the order is considered “done in good faith.”
- Therefore, officials are protected from any prosecutions or any legal proceedings.

### Section 8 of the PSA:

- It provides a vast number of reasons for detention, ranging from “promoting, propagating, or attempting to create, feelings of enmity or hatred or disharmony on grounds of religion, race, caste, community, or region” to incitement, instigation, abetment, and actual commission of such acts, and leaves it to district collectors or district magistrates to decide, giving a 12-day period within which, an advisory board must approve the detention.

### No Distinction Between Minor and Major Offences:

- It allows detention for up to 1 year for disturbance of public order and 2 years for actions “prejudicial to the security of the State”.
- All these actions bear an unsettling resemblance to the British response to protests against the Rowlatt Act of 1919.

## SUPREME COURT ON PUBLIC SAFETY ACT

- The Supreme Court has held that while detaining a person under the PSA, **the DM has a legal obligation to analyze all the circumstances before depriving that person of his/her personal liberty.**
- It has also held that when a person already under police custody is slapped with the PSA, the DM has to record “**compelling reasons**” for detaining that person.
- While the DM can detain a person multiple times under the PSA, he or she has to produce fresh facts while passing the subsequent detention order.

- Also, all the material based on which the detention order has been passed, the Supreme Court has held, should be provided to the detained person for making an effective representation.
- The grounds of detention must be explained and communicated to the person in the language understood by the detained person.

## RUSSIA-UKRAINE GRAIN EXPORTS DEAL

### SYLLABUS: GS PAPER-II (INTERNATIONAL RELATIONS)

**CONTEXT:** Russia and Ukraine signed separate agreements Friday with Turkey and the U.N., clearing the way for exporting millions of tons of desperately needed Ukrainian grain — as well as Russian grain and fertilizer — ending a wartime standoff that had threatened food security around the globe.

### IMPORTANCE OF THE AGREEMENT

- Russia and Ukraine together account for more than a quarter of the world's wheat supplies.
- Russia's share in the global exports of wheat, the world's most widely grown crop, is some 20% according to 2020 figures, while Ukraine accounts for 8%.
- About 50 countries depend on Russia and Ukraine for more than 30% of their wheat imports.
- Besides wheat, Ukraine is the world's eighth largest producer and fourth largest exporter of corn, accounting for 16% of global exports.
- Further, Ukraine, which produces up to 46% of sunflower seeds and sunflower oil is the world's largest exporter of sunflower oil.



### TERMS OF THE DEAL

- The deal which has been brokered by Turkey and the UN aims to put an end to the wartime standoff that had threatened food security across the world.
- The deal agreed **provides for the setting up of safe corridors along which Ukrainian ships can enter and exit three designated Black Sea ports in and around Odessa.**
- This facilitates Ukraine to resume its global shipments of grains and other crucial commodities.

- The deal will also allow Russia to export its grain and fertilizers.
- Further, the deal provides for the **establishment of a control centre in Istanbul to foresee and coordinate the process** and will be staffed by U.N., Turkish, Russian, and Ukrainian officials.
- The ships would be thoroughly inspected to ensure that they are not carrying weapons.

## SIGNIFICANCE

- The deal is expected to benefit the developing and under-developing countries which are reeling on the edge of famine and on the verge of bankruptcy.
- The deal will also help in addressing the challenges of global food insecurity and inflation.
- The agreement also plays a key role in providing hope for the re-establishment of peace and order in the region.

## PRELIMS FACTS

### AFRICAN SWINE FEVER (ASF)

- ASF was reported from two farms in **Wayanad district of Kerala**.
- It is a **highly contagious and fatal animal disease that infects and leads to an acute form of hemorrhagic fever in domestic and wild pigs**.
- Other manifestations of the disease include high fever, depression, anorexia, loss of appetite, hemorrhages in the skin, vomiting and diarrhoea among others.
- ASF is not a threat to human beings since it only spreads from animals to other animals.

### FALLBACK LIABILITY

- The Parliamentary Standing Committee on Commerce has dismissed e-commerce player's argument that they have no control over the items sold on their platform.
- The draft e-commerce rules introduced the concept of "fall-back liability", which says **that e-commerce firms will be held liable in case a seller on their platform fails to deliver goods or services due to negligent conduct, which causes loss to the customer**.

### SARNA RELIGION DEMAND

- The tribal communities in the states of **Jharkhand, Odisha, Assam, Bihar and West Bengal** have been demanding the centre to recognize their religion as 'Sarna' and ensure their enumeration in the upcoming census.
- The demand stems from anxieties over **loss of identity, culture, and the traditional way of life in the absence of formal recognition**, leaving the vast majority of tribals vulnerable to attempts of conversion.
- The followers of Sarna faith believe pray to nature.
- The holy grail of the faith is **"Jal, Jungle, Zameen"** and its followers pray to the trees and hills while believing in protecting the forest areas.