

Topics - MINDS MAPS included (Daily current affairs 31st December 2024)

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- **Mains**



By saurabh Pandey



THE HINDU

Target Mains -2025/26 -

Q “Unconventional Warfare Methods brings new challenges to internal and external security of india ” Discuss

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Q. Transformative Change Report recently seen in news is published by which among the following Organization.

(DTE)

A) United Nations Environment Programme. (UNEP)

B) Global Environment Facility (GEF)

C) Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. (IPBES)

D) World Economic Forum. (WEF)

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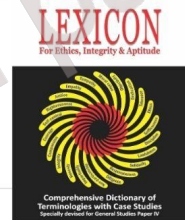
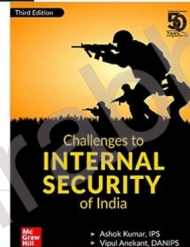
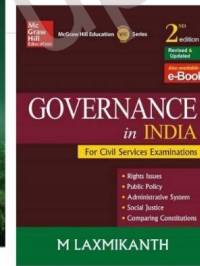
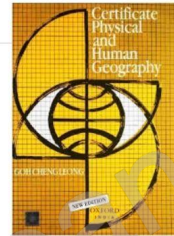
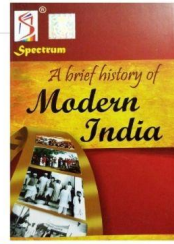
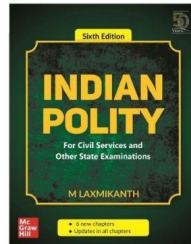
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Private Members' Bills get short shrift in both LS and RS

Sobhana K. Nair
NEW DELHI

During the five-year term of the 17th Lok Sabha that ended in 2024, only 9.08 hours were spent on Private Members' Bills, while the Rajya Sabha spent 27.01 hours on them during the period, shows an analysis by PRS Legislative Research, an independent research body.

The Lower House spent 16.43 hours and the Upper House 20.78 hours on Private Members' Resolution.

In the two sessions of the 18th Lok Sabha, 0.15 hours was spent on such Bills, while the Rajya Sabha spent 0.62 hours in this period. The Lower House spent 1.98 hours on resolutions and the Upper House 2.09 hours.

The resolutions are declarations on which the House votes, while the Bills refer to proposed legislation. These are the only instruments available for MPs' individual expression without being bound by their party's diktat.

Political messaging

They serve as an important medium for political messaging. For example in 1966, after the sudden death of then Prime Minister Lal Bahadur Shastri, the Congress chose Indira Gandhi to replace him. H.V. Kamath, then an MP from the Praja Socialist Party, moved a Private Members' Bill to amend the Constitution to allow only Lok Sabha members to be eligible for the post of Prime Minister. Indira Gandhi was a member of the Rajya Sabha at the time.

The time spent on such Bills for the entire tenure of



Parliament has passed only 14 Private Members' Bills till date and none since 1970. PTI

the Lok Sabha is a minuscule fraction of the total hours both Houses sit in a single session. Till date, only 14 Private Members' Bills have been passed and received assent. None have been passed in both Houses since 1970.

Taken lightly

Jairam Ramesh, Chief Whip of the Congress in the Rajya Sabha, said an all-round indifference is responsible for decline of this parliamentary tool. "Nobody takes it seriously. Very often I have found even the members whose Bills have been listed in the schedule do not show up," he said.

One of the reasons, Mr. Ramesh said, is that these Bills are scheduled for Friday afternoons, when members are in a hurry to return to their constituencies for the weekend. He has proposed that for Private Members' business to survive, it should be scheduled midweek on Wednesday.

With a narrowing window available for Private Members' business, it takes years for legislation moved by members to come up for discussion.

Topic → Analysis of Private Members' Bills in Indian Parliament



Overview of Private Members' Bills

Definition: Instruments for individual expression of MPs.

Legislation: Proposed laws that require a vote.

Political Messaging: Serve as a medium for political statements.

Time Allocation

17th Lok Sabha:

Lower House (Lok Sabha): 9.08 hours on Bills; 16.43 hours on Resolutions.

Upper House (Rajya Sabha): 27.01 hours on Bills; 20.78 hours on Resolutions.

18th Lok Sabha:

Lower House: 0.15 hours on Bills; 1.98 hours on Resolutions.

Upper House: 0.62 hours on Bills; 2.09 hours on Resolutions.

Historical Context

Significance: Until 2024, only 14 Bills have been passed since 1970.

Notable Events:

Indira Gandhi's political rise linked to Private Members' Bills.

Challenges Faced

Indifference: Many MPs do not participate in discussions.

Scheduling Issues: Bills often scheduled at inconvenient times (e.g., Fridays).

Proposed Solutions: Shift discussions to midweek (Wednesdays).

Current Trends

Decline: A noticeable drop in time allocated for Bills.

Future of Private Members' Business: Concerns over sustainability due to narrow discussion windows.

Introduction to Private Members' Bills

Private Members' Bills are a fascinating aspect of the Indian legislative landscape. These are proposed laws introduced by members of the Parliament who are not part of the government. Let's dive into their significance and evolution over time.

Definition: A Private Members' Bill is a proposal for new legislation introduced by a Member of Parliament (MP) who is not a minister.

Historical Context: The practice of introducing these bills dates back to the early years of parliamentary democracy in India, reflecting a vibrant democratic process.

The Legislative Process of Private Members' Bills

The journey of Private Members' Bills through the legislative process is unique and filled with challenges.

Introduction and Debate: These bills are typically introduced during specific **parliamentary sessions**. MPs have the opportunity to present their bills, followed by a debate.

Comparison with Government Bills: Unlike government bills, which have a stronger backing, Private Members' Bills often struggle to garner attention and support.

The Role of Youth and Representation

The role of youth in shaping legislation through Private Members' Bills cannot be overstated.

Importance of Involvement: Engaging young MPs in the legislative process is crucial for ensuring that the voices of the younger generation are heard.

Recent Initiatives: Recent bills aimed at increasing youth representation are indicative of a broader commitment to inclusivity in governance.

Challenges and Criticisms

While Private Members' Bills are an essential part of the legislative process, they face numerous challenges.

Limited Time and Resources: Often, these bills are overshadowed by government priorities, leading to limited time for debate and discussion.

Critiques of the Legislative Framework: Some argue that the current framework does not adequately support the introduction and passage of Private Members' Bills.

Conclusion

Private Members' Bills play a pivotal role in enriching the legislative discourse in India. As these bills continue to emerge and evolve, they reflect the dynamic nature of Indian democracy and the importance of diverse voices in the Parliament.



ISRO's docking mission on; spacecraft reach right orbit

Hemanth C.S.

SRIHARIKOTA

The Indian Space Research Organisation (ISRO) successfully launched the Space Docking Experiment (SpaDeX) mission on Monday.

The PSLV C60 rocket carrying two small satellites, SDX01 (Chaser) and SDX02 (Target), along with 24 payloads, lifted off from the first launchpad of the Satish Dhawan Space Centre in Sriharikota at 10 p.m.

About 15 minutes after lift-off, the two small spacecraft weighing about 220 kg each were launched into a 475-km circular orbit as intended.

"The rocket has placed the satellites in the right orbit which is into a 475-km circular orbit. The spacecraft's solar panels have been deployed successfully. The two SpaDeX satel-

lites have moved one behind another so over a period of time it will pick up further distance; the distance will increase by 20 km over the next few days and then the rendezvous and docking process will start. The docking process can happen in another one week; the nominal time will be approximately January 7," said ISRO Chairman S. Somanth.

Technology for future

With the SpaDeX mission, the ISRO aims at exhibiting technologies needed for spacecraft rendezvous, docking, and undocking using two small satellites which have been mastered by only an elite group of spacefaring nations.

The demonstration of this technology is essential for futuristic missions, including sending an Indian astronaut to the moon, sample return from the

moon, and the building and operation of an Indian space station.

ISRO said that the demonstrated precision of the PSLV vehicle would be utilised to give a small relative velocity between the Target and Chaser spacecraft at the time of separation from the launch vehicle.

"This incremental velocity will allow the Target spacecraft to build a 10-20 km inter-satellite separation with respect to the Chaser within a day. At this point, the relative velocity between the Target will be compensated using the propulsion system of the Target spacecraft," ISRO said.

ISRO added that at the end of this drift arrest manoeuvre, Target and Chaser will be in the same orbit with identical velocity but separated by about 20 km, known as Far Rendezvous.



Great start: The PSLV-C60 craft lifts off from Sriharikota spaceport on Monday night. B. VELANKANNI RAJ

Topic → Introduction to SpaDeX Mission

The Indian Space Research Organisation (ISRO) has once again captured global attention with the successful launch of its SpaDeX mission. On a momentous Monday evening, the **PSLV C60 rocket ascended from the esteemed Satish Dhawan Space Centre in Sriharikota, carrying two small satellites, SDX01 (Chaser) and SDX02 (Target), alongside 24 additional payloads**. This mission is not just a significant technical achievement; it marks a pivotal step in India's ambitious space exploration agenda.

Launch Details:

Date: December 30, 2024

Time: 10 p.m.

Orbital Destination: 475-km circular orbit

The mission aims to test critical technologies for spacecraft rendezvous, docking, and undocking—skills only mastered by a select few spacefaring nations.

Technical Specifications and Launch Success

ISRO's SpaDeX mission is a testament to India's growing expertise in space technology. The PSLV C60 rocket effectively deployed the two SpaDeX satellites into their designated orbit, approximately 15 minutes post-launch.

Satellite Specifications:

SDX01 (Chaser): Designed to perform close-proximity maneuvers.

SDX02 (Target): The object for the chaser to rendezvous and dock with.

The ISRO Chairman, S. Somanth, expressed confidence in the mission, stating, “The rocket has placed the satellites in the right orbit... the distance will increase by 20 km over the next few days, and then the rendezvous and docking process will start.”

The docking process is anticipated to take place around January 7, 2025, marking a significant milestone in India's space journey.

Future of Space Exploration: ISRO's Ambitious Goals

With the SpaDeX mission, ISRO is not merely testing spacecraft; it's laying the groundwork for ambitious future missions that include sending Indian astronauts to the Moon and establishing an Indian space station.

Technologies Being Demonstrated:

- Precision docking maneuvers

- Propulsion systems for inter-satellite separation

- Enhanced orbital mechanics through relative velocity adjustments

The implications for India's space program are profound, as the demonstrated technologies will prove crucial for upcoming explorations, including potential sample returns from lunar missions.

Conclusion: The Dawn of a New Era for ISRO

The successful launch of the SpaDeX mission signifies a monumental leap forward in India's quest for space exploration. As ISRO continues to push the boundaries of technological advancements, the world watches with bated breath to see what spectacular feats await in the future.

Saurabh pandey upsc

Unconventional methods like AI-based warfare a big challenge, says Rajnath

Press Trust of India

MHOW (M.P.)

Defence Minister Rajnath Singh said on Monday that unconventional methods like Artificial Intelligence (AI)-based warfare and cyber attacks pose a big challenge.

Addressing officers at the Army War College in Mhow Cantonment in Madhya Pradesh, Singh said India's defence exports have crossed a record ₹21,000 crore from ₹2,000 crore a decade ago. He said a target has been set to achieve defence exports of ₹50,000 crore by 2029.

"Unconventional methods like information warfare, AI-based warfare, proxy warfare, electromagnetic warfare, space warfare, and cyber-attacks are posing a big challenge," Mr. Singh said.

He stressed the need for the military to be well trained and equipped to fight off such attacks and lauded training centres in Mhow for their valuable contributions.

Mr. Singh said mastering frontier technologies is the need of the hour in the constantly evolving times, noting that military training centres are playing a crucial role in equipping



Defence Minister Rajnath Singh pays tributes to the brave-hearts at the Infantry Memorial at Mhow in Indore on Monday. ANI

and readying soldiers to deal with future challenges.

"Our defence exports, which were around ₹2,000 crore a decade ago, have crossed the record figure of ₹21,000 crore today. We have set an export target of ₹50,000 crore by 2029," Mr. Singh said.

He said 'made-in-India' equipment is being exported to other countries.

Mr. Singh commended the training centres for constantly improving their training curriculum as per changing times, and striving to make the personnel fighting fit for every kind of challenge.

He appealed to officers to explore the possibility of promoting integration through training in areas such as weapons training

in Infantry School; AI and communication technology in Military College of Telecommunication Engineering (MCTE), and leadership - junior and senior command in AWC.

Mr. Singh said that some officers will work as defence attaches in the future, and they should strive to secure national interests at the global level.

He said the government is committed to making India one of the strongest economic and military powers in the world.

Chief of the Army Staff General Upendra Dwivedi and other senior officials of the Army were present on the occasion.

The Defence Minister laid a wreath and paid homage to brave-hearts at the Infantry Memorial.

Topic → Unconventional Warfare Methods

Introduction:

The landscape of modern warfare is rapidly evolving, with unconventional methods presenting unprecedented challenges to nations around the globe.

Recently, Defence Minister Rajnath Singh articulated the pressing need for India to adapt and innovate in its defence strategies, particularly concerning AI-based warfare and cyber threats.

Saurabh Pandey unsc

Unconventional Warfare Methods

The very essence of warfare is transforming, characterized by the rise of unconventional methods. This includes:

AI-Based Warfare: The integration of artificial intelligence in military strategies is no longer a futuristic concept but a present reality. It encompasses everything from autonomous drones to predictive analytics for strategic planning.

Cyber Warfare: Cyber attacks represent a profound challenge, threatening national security, infrastructure, and the very fabric of society. These attacks can disrupt communication, steal sensitive information, and cripple essential services.

Information Warfare: The dissemination of misleading information can influence public perception and destabilize governments. This tactic is often used in conjunction with cyber warfare.

Rajnath Singh emphasized that mastering these methods is essential for maintaining national security and ensuring military effectiveness in an unpredictable global environment.

India's Defence Export Growth

The past decade has witnessed a remarkable transformation in India's defence exports:

Statistics: From a mere ₹2,000 crore a decade ago, India's defence exports have surged to an impressive ₹21,000 crore. This significant growth underscores the country's burgeoning capabilities and international standing in the defence sector.

Future Targets: The ambitious target of reaching ₹50,000 crore by 2029 not only reflects the government's commitment to enhancing defence manufacturing but also positions India as a formidable player in the global arms market.

Made-in-India Equipment: The ongoing push for indigenous production has resulted in advanced military equipment being exported to various countries, showcasing India's potential to meet global defence demands.

The Defence Minister's remarks highlight the strategic importance of boosting defence exports, reinforcing India's position as a rising military power.

The Need for Advanced Military Training

In light of the evolving threats, Rajnath Singh stressed the paramount importance of advanced military training:

Frontier Technologies: Emphasizing the need for soldiers to be well-versed in the latest technologies, Singh pointed to training centres as pivotal in preparing personnel for contemporary challenges.

Role of Training Centres: Institutions like the Army War College in Mhow are instrumental in adapting training curricula to meet the demands of modern warfare. This commitment to continuous improvement is vital for ensuring military readiness.

Integration through Training: Singh called for enhanced collaboration between different branches of the military, particularly in areas such as weapons training and AI applications.

This forward-thinking approach to military training is crucial for equipping soldiers with the skills necessary to combat future threats effectively.

Conclusion

Rajnath Singh's insights into the future of warfare underscore the necessity for India to embrace technological advancements and adapt its military strategies accordingly.

The convergence of AI, cyber warfare, and unconventional tactics presents both challenges and opportunities for the nation.

As India aims to solidify its position as a global military power, the commitment to enhancing defence exports and refining military training will be instrumental in navigating the complexities of modern warfare.

Saurabh Pandey upsc

Centre inks contracts for AIP, torpedoes for submarines

The Hindu Bureau

NEW DELHI

The Defence Ministry on Monday signed two contracts related to Scorpene-class submarines worth ₹2,867 crore.

The first contract is for the construction of the air independent propulsion module (AIP) developed by the Defence Research and Development Organisation (DRDO), and its integration aboard. The second contract is for the integration of the electronic heavy-weight torpedo being developed by the DRDO.

“The contract for construction of AIP Plug and its integration was inked with Mazagon Dock Shipbuilders Limited, Mumbai, [which is] worth around ₹1,990 crore, while the contract for integration of EHWT, being developed by DRDO, was signed with Naval Group, France at an approx. cost of ₹877 crore,” a



Waiting on: An indigenously developed AIP module, after delays, is awaiting fitment on Scorpene submarines. FILE PHOTO

Defence Ministry statement said.

An indigenously developed AIP module, after delays, is awaiting fitment on Scorpene submarines. Towards this, the DRDO has already entered into an agreement with the France-based Naval Group, the original manufacturer of Scorpenes.

Enhanced submarines

The construction of the AIP Plug and its integration would enhance the endurance of conventional sub-


marines, and would generate employment of nearly three lakh man days, the Ministry said. The integration of the EHWT would be a collaborative effort between the Indian Navy, the DRDO, and the Naval Group, the statement added.


The submarines have been operating without a dedicated, modern heavy-weight torpedo so far, as the torpedoes meant to be procured from the company were embroiled in a corruption scandal.

Topic → Defence Ministry Contracts for Scorpene-Class Submarines

Overview


 **Contracts Signed:** The Defence Ministry has signed two significant contracts for Scorpene-class submarines, totaling ₹2,867 crore.


 **AIP Module Development:** A contract worth ₹1,990 crore focuses on constructing and integrating an air independent propulsion (AIP) module developed by DRDO with Mazagon Dock Shipbuilders Limited.


 **EHWT Integration:** Another contract, valued at ₹877 crore, is for integrating an electronic heavyweight torpedo (EHWT), developed by DRDO and signed with Naval Group, France

Challenges and Opportunities

 **Delays in AIP Module:** The AIP module, developed indigenously, has experienced delays and is pending fitment on Scorpene submarines.

 **Job Creation:** The AIP module's construction and integration are expected to generate approximately three lakh man-days of employment.

 **Collaborative Effort:** The EHWT integration involves collaboration between the Indian Navy, DRDO, and Naval Group.

 **Operational Challenges:** Scorpene submarines have been operating without a modern heavyweight torpedo due to past procurement issues linked to a corruption scandal.

Summary

The Defence Ministry's contracts aim to enhance Scorpene-class submarines with an AIP module and a new heavyweight torpedo, improving operational capabilities and creating jobs.

What is Air Independent Propulsion (AIP)?

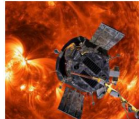
Air Independent Propulsion (AIP) technology is revolutionizing the landscape of naval warfare, particularly in submarine operations. By enabling submarines to operate without the need for atmospheric oxygen, AIP systems enhance stealth capabilities and endurance, crucial for modern maritime security. This article delves into the intricacies of AIP technology, its current advancements, and its strategic implications for naval defense.

Air Independent Propulsion (AIP) refers to a range of technologies that allow submarines to operate submerged without surfacing for extended periods. Traditional diesel-electric submarines rely on snorkels or batteries, limiting their operational range and stealth. AIP systems provide a significant advantage by enabling:

Extended Submersion: Submarines can remain submerged for weeks, enhancing their operational flexibility.

Reduced Noise Levels: AIP systems operate more quietly than conventional engines, improving stealth in hostile waters.

Improved Tactical Options: With the ability to stay submerged longer, submarines can conduct reconnaissance and strike missions without detection.



A 3D artist's concept shows the Parker Solar Probe flying into the sun's outer atmosphere on a mission to help scientists learn more about the star. NASA/JONATHAN HAMMOND/NASA/ISTOCK GREENSB

NASA probe flies closer to the sun than any spacecraft

Agence France Presse

NASA's pioneering Parker Solar Probe made history on December 24 when it flew closer to the sun than any other spacecraft, with its heat shield exposed to scorching temperatures topping 900 degrees Celsius.

Launched in August 2018, the spaceship is on a seven-year mission to deepen scientific understanding of our star and help forecast space-weather events that can affect life on the earth.

Tuesday's historic flyby should have occurred at precisely 5:21 am EST (03:02 GMT), although mission scientists will have to wait for confirmation until December 28 as they lose contact with the craft for several days due to its proximity to the sun.

"Right now, the Parker Solar Probe is flying closer to a star than anything has ever been before", at 6.1 million kilometres away, NASA official Nicky Fox said in a video on social media on the morning of December 24. "It is just a total 'yay, we did it' moment"

If the distance between the earth and the sun is the equivalent to the length of an American football field, the spacecraft should have been about four metres from the end zone at the moment of closest approach, a point that scientists call perihelion.

"This is one example of NASA's bold missions, doing something that no one else has ever done before to answer long-standing questions about our

Launched in 2018, the spaceship is on a seven-year mission to deepen scientific understanding of our star and help forecast space-weather events that can affect life on the earth

universe," Parker Solar Probe programme scientist Adia Posen said in a statement on December 26.

"We can't wait to receive that first status update from the spacecraft and start receiving the science data in the coming weeks."

So effective is the heat shield that the probe's internal instruments remained near room temperature – around 20 degrees Celsius – as it explored the sun's outer atmosphere, called the corona.

The Parker Solar Probe will also be moving at a blistering pace of around 690,000 km/hr, fast enough to fly from New Delhi to Chennai in around 10 seconds.

"Parker will truly be venturing data from uncharted territory," said Nick Pohlman, mission operations manager at the Johns Hopkins Applied Physics Laboratory (APL) in Laurel, Maryland. "We're excited to hear back from the spacecraft when it swings back around the sun."

By venturing into these extreme conditions, the Parker probe has been helping scientists tackle some of the sun's biggest mysteries: how solar wind originates, why the corona is hotter than the surface below, and how coronal mass ejection – massive clouds of plasma that hurt through space – are formed.

The Christmas Eve flyby was the first of three record-setting close passes. The next two are set to occur on March 12 and June 19, 2025, and both are expected to bring the probe back to a similarly close distance from the sun.

After its launch in 2018, the probe has been gradually circling closer towards the sun, using flybys of Venus to gravitationally pull it into a tighter orbit.

Topic → NASA's Parker Solar Probe: A Historic Journey



Historic Flyby

On December 24, NASA's Parker Solar Probe achieved a historic milestone by flying closer to the sun than any other spacecraft, reaching a distance of 6.1 million kilometers.



Extreme Temperatures

The probe's heat shield endured temperatures exceeding 930 degrees Celsius, while its internal instruments remained at a stable 29 degrees Celsius.



Mission Timeline

Launched in August 2018, the Parker Solar Probe is on a seven-year mission to enhance our understanding of the sun and predict space weather events.



The Christmas Eve flyby is the first of three record-setting close passes, with the next two scheduled for March 22 and June 19, 2025.



Scientific Goals

The mission aims to uncover mysteries of the sun, including:

- The origins of solar wind

- The temperature anomaly of the corona

- The formation of coronal mass ejections

Speed Record

The probe travels at approximately 690,000 km/hr, allowing it to cover the distance from New Delhi to Chennai in about 10 seconds.

Communication Delay

Scientists will receive confirmation of the flyby on December 28, as the probe temporarily loses contact due to its proximity to the sun.

Summary: NASA's Parker Solar Probe made history by flying closer to the sun than any spacecraft before, marking a significant milestone in solar research.

On India's obligations towards the Rohingya

What has a recent report by The Azadi Project and Refugees International said about India's refugee policy for the Rohingya people? How many Rohingya refugees reside in India? What does the 1951 Refugee Convention state? Does India have a domestic refugee law?

EXPLAINER

Aaratrika Bhattacharya

The story so far:

A recent study examining the plight of Rohingya refugees detained in India, conducted jointly by The Azadi Project and Refugees International has highlighted "gross violations of constitutional and human rights" and criticised India's "failure to uphold its obligations under international human rights treaties." Based on interviews with detainees, their families, and legal representatives, the report reveals that "a significant number of Rohingya refugees continue to be incarcerated even after serving their prescribed sentences."

How are Rohingya refugees protected under international law?

The Rohingya people of Myanmar constitute the world's largest stateless population, estimated to number approximately 2.8 million. Denied citizenship and subjected to decades of persecution by Myanmar's authorities, majority of the Rohingyas have been compelled to flee their homeland due to genocidal violence. At present, they are dispersed across multiple countries. According to the United Nations High Commissioner for Refugees (UNHCR), nearly 22,500 Rohingya refugees currently reside in India.

The 1951 Refugee Convention and its 1967 Protocol enshrine the principle of non-refoulement, which prohibits States from expelling individuals under their jurisdiction when substantial evidence suggests they would face persecution, torture, or other severe human rights violations upon return. This principle is a cornerstone of human rights, humanitarian, and refugee law. Moreover, its status as customary international law imposes binding obligations on states regardless of formal assent. The Office of the United Nations High Commissioner for Human Rights has reiterated that "the principle is characterised by its absolute nature without any exception". Additionally, in a 2007 advisory opinion, the UNHCR affirmed that non-refoulement constitutes customary law and is binding on all states, including those not parties to the Refugee Convention or the 1967 Protocol.

What is India's stand?

As India is neither a signatory to the Refugee Convention nor a party to key international instruments, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance, it maintains that it bears no legal obligation to provide asylum or adhere to the principle of non-refoulement. India continues to detain Rohingya refugees under archaic domestic legal frameworks, notably the Foreigners Act, 1946, and the Passport Act, 1967. These legislations confer sweeping executive powers to regulate the presence of foreigners and enable authorities to categorise Rohingya refugees as "illegal migrants."

In response to a public interest litigation (PIL) in the Supreme Court seeking the release of detained Rohingya refugees, the Centre clarified in March that while they are entitled to the right to life under Article 21 of the Constitution, they do not possess the right to reside or settle in India. In 2020, the top court in *Mohammad Salimullah and Anr. versus Union of India*, rejected a plea to prevent



Detainees living: A general view of Rohingya camps area near Shaheen Bagh in New Delhi on December 12, 2018. (SNDHAN KASIRAP)

the deportation of 170 Rohingya refugees detained in Srinagar accepting the Centre's national security concerns.

In October 2024, the Delhi High Court dismissed a PIL seeking directions to the authorities to admit Rohingya refugee children in local schools. The court noted that the matter involved international implications and required a policy decision to be taken by the government.

What are India's international obligations?

The International Covenant on Civil and Political Rights, to which India is a party, implicitly obligates member states under Article 7 to refrain from redoubling individuals to places where they may face torture or cruel, inhuman, or degrading treatment. The UN Human Rights Committee has unequivocally affirmed this interpretation. Similarly, the principle of non-refoulement is enshrined in other significant international instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, both of which India has ratified.

Further, the Convention Against Torture makes an express mention of non-refoulement under Article 3. While India's position as a signatory but not a ratifier renders its provisions non-binding, any deviation from the

convention's principles would compromise the commitment India demonstrated by signing the treaty.

Although India lacks a domestic refugee law, the Supreme Court in landmark rulings such as *Visakha & Ors. versus State of Rajasthan* (1997) and *National Legal Services Authority versus Union of India* (2014), has affirmed that in the absence of domestic legislation on a matter, international conventions and norms must be applied by municipal courts to ensure the dignity of human life. Additionally, Article 51(c) of the Constitution mandates that the state must strive to promote respect for international law and treaty obligations.

Several High Courts in India have also interpreted the principle of non-refoulement as integral to Article 21 of the Constitution, which guarantees the right to life and personal liberty. Notable examples include the Gujarat High Court's decision in *Khaer Abbas Habib Al Qasbi versus Union of India* (1998) and the Delhi High Court's ruling in *Dough Lian Khan versus Union of India* (2015), both of which involved refugees from different countries seeking protection from deportation.

What are the existing concerns?

The absence of a standardised refugee policy has led to the disparate treatment of different refugee populations, driven

by India's shifting geopolitical and diplomatic interests. While groups such as the Tibetans, Sri Lankans, and Afghans are granted refugee certificates on long-term visas by the government, most Rohingya refugees – despite being registered with the UNHCR – often face arbitrary detention and criminal imprisonment. Further, the controversial Citizenship Amendment Act, 2019, excludes persecuted Muslim minorities, such as the Rohingyas, from its ambit.

The lack of legal representation and aid for detained Rohingya refugees also poses a severe concern. The report by Azadi Project and Refugees International highlights that civil society organisations working on behalf of Rohingya refugees in India are starved of funding as most Foreign Contribution (Regulation) Act licences that allow for the receipt of foreign funding have been revoked. This has made lawyers reluctant to take on cases involving the Rohingyas, fearing potential repercussions.

Moreover, detention centres housing Rohingya refugees, including pregnant women and children, are plagued by dehumanising living conditions. In light of the appalling conditions at the Matia Transit Camp, the Supreme Court in October, directed the Assam State Legal Services to conduct surprise visits and evaluate the conditions in which the refugees are living.

THE GIST

➤ A recent study examining the plight of Rohingya refugees detained in India, conducted jointly by The Azadi Project and Refugees International has highlighted "gross violations of constitutional and human rights" and criticised India's "failure to uphold its obligations under international human rights treaties."

➤ As India is neither a signatory to the Refugee Convention nor a party to key international instruments, it maintains that it bears no legal obligation to provide asylum or adhere to the principle of non-refoulement.

➤ The report highlights that civil society organisations working on behalf of Rohingya refugees in India are starved of funding as most Foreign Contribution (Regulation) Act licences that allow for the receipt of foreign funding have been revoked.

Topic --. > The Plight of Rohingya Refugees in India

Introduction

The Rohingya refugees, a group that has faced unimaginable hardships, are currently detained in India, and a recent study sheds light on their dire situation. Conducted by The Azadi Project and Refugees International, this study highlights “gross violations of constitutional and human rights” and criticizes India’s failure to uphold its obligations under international human rights treaties.

Recent Study Findings

Overview of the Study

The report, based on interviews with detainees, their families, and legal representatives, reveals a shocking reality: many Rohingya refugees continue to be incarcerated even after serving their prescribed sentences. This raises serious questions about the treatment of these individuals and the legal frameworks that govern their status in India.

Finding safe haven in Bangladesh

Hundreds of thousands of Rohingya have left their ethnic homeland of Rakhine State for the district of Cox's Bazar in Chittagong, Bangladesh.



Rohingya Refugees and International Law

The Concept of Statelessness

The Rohingya people of Myanmar are the world's largest stateless population, with an estimated 2.8 million individuals. Denied citizenship and subjected to decades of persecution, they have fled their homeland due to genocidal violence. Today, they are dispersed across various countries, with nearly 22,500 residing in India, according to the United Nations High Commissioner for Refugees (UNHCR).

Non-Refoulement Principle

1951 Refugee Convention and 1967 Protocol

The principle of non-refoulement, enshrined in the 1951 Refugee Convention and its 1967 Protocol, prohibits states from expelling individuals when there is substantial evidence they would face persecution or torture upon return. This principle is a cornerstone of human rights and humanitarian law, and it is binding on states, regardless of formal assent.

India's Position on Refugees

Legal Framework in India

India is not a signatory to the Refugee Convention or other key international instruments, such as the Convention against Torture. This allows the Indian government to argue that it has no legal obligation to provide asylum or adhere to the principle of non-refoulement. Instead, Rohingya refugees are detained under outdated laws like the Foreigners Act of 1946 and the Passport Act of 1967, which categorize them as “illegal migrants.”

Supreme Court Rulings

Article 21 of the Constitution

In a recent public interest litigation (PIL) in the Supreme Court, the Indian government clarified that while Rohingya refugees have the right to life under Article 21 of the Constitution, they do not have the right to reside or settle in India. This was further emphasized in a 2021 ruling that rejected a plea to prevent the deportation of detained Rohingya refugees, citing national security concerns.

India's International Obligations

Key International Treaties

India is a party to the International Covenant on Civil and Political Rights, which obligates member states to refrain from refouling individuals to places where they may face torture or cruel treatment. The UN Human Rights Committee has affirmed this interpretation, reinforcing India's obligations under international law.

Non-Refoulement in Indian Law

Despite the lack of a domestic refugee law, the Supreme Court has ruled that international conventions must be applied to ensure the dignity of human life. Several High Courts have interpreted the principle of non-refoulement as integral to Article 21, which guarantees the right to life and personal liberty.

Current Concerns and Challenges

Disparate Treatment of Refugees

The absence of a standardized refugee policy has led to the unequal treatment of different refugee populations in India. While some groups receive refugee certificates, Rohingya refugees often face arbitrary detention and criminal imprisonment, highlighting a troubling inconsistency in India's approach to refugees.

Lack of Legal Representation

The report by Azadi Project and Refugees International points out that civil society organizations advocating for Rohingya refugees are struggling for funding, as many licenses for foreign contributions have been revoked. This has made it difficult for lawyers to take on cases involving Rohingya refugees, fearing repercussions.

Dehumanizing Conditions in Detention Centers

The conditions in detention centers housing Rohingya refugees are appalling, with reports of overcrowding and inadequate facilities. The Supreme Court has directed legal services to conduct surprise visits to assess these conditions, but the situation remains dire.

Conclusion

The plight of Rohingya refugees in India is a complex issue that intertwines human rights, international law, and national policy. As the recent study reveals, the treatment of these individuals raises serious ethical and legal questions. It is crucial for India to reassess its approach to refugees and uphold its international obligations to ensure the dignity and rights of all individuals, regardless of their nationality.

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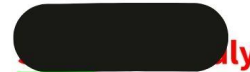
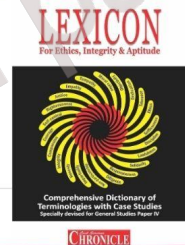
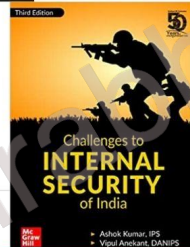
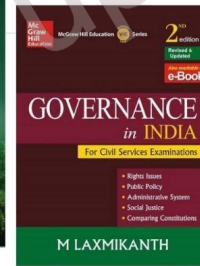
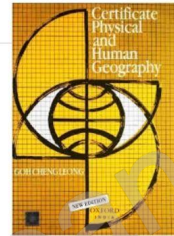
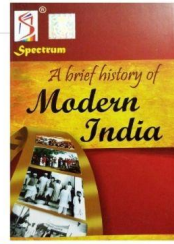
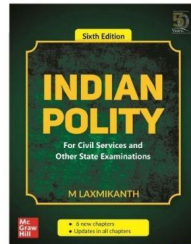
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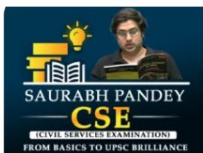
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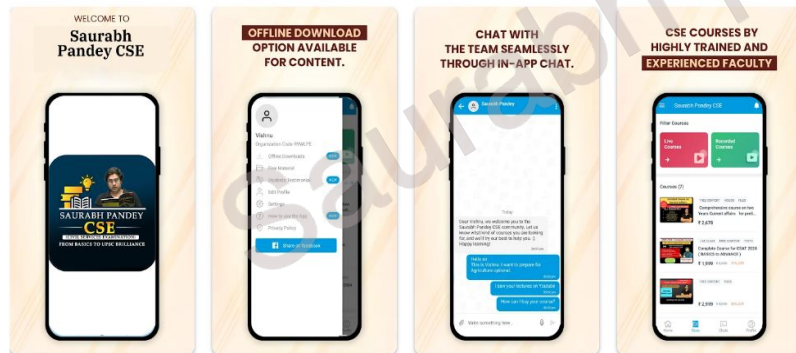
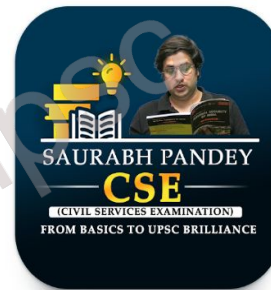
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