

# HINDON REJUVENATION Time to review some elements of 42nd & 44th Constitution Amendments made during Emergency Times

It is really appreciable that eight projects worth around Rs 638 crore were approved in 48th meeting of the Executive Committee of the National Mission for Clean Ganga (NMCG) was held on today under the chairmanship of Director General, National Mission for Clean Ganga (NMCG) G Asok Kumar. In an attempt to clean River Hindon, which is a tributary of River Yamuna, four projects worth Rs. 407.39 crore were approved for pollution abatement in the Shamli district. These projects are part of the comprehensive Hindon Rejuvenation Plan. Hindon river is identified as Priority I polluted river stretch. The projects which were sanctioned are to prevent the flow of polluted water into Krishna River: Krishni is one of the major tributaries of Hindon which discharges pollution from Shamli district into River Hindon.

The four projects in Shamli district include construction of i) 5 Million Litres per Day (MLD) Sewage Treatment Plant (Nirmal Jal Kendra), 5 KLD Septage Co-treatment Facility, Interception & Diversion (I&D) and other works in Babri and Bantikhera villages, ii) 5 MLD STP; 5 KLD Septage Co-treatment Facility, Interception & Diversion (I&D) and other works in Banat town, iii) 40 MLD STP; 20 KLD Septage Co-treatment Facility, Interception & Diversion (I&D) and other works in Shamli town and iv) 10 MLD STP; 10 KLD Septage Co-treatment Facility, Interception & Diversion (I&D) and other works in Thanabhawan town. As part of preparations for the Mahakumbh in Prayagraj, Uttar Pradesh, in 2025, one project for development of 7 ghats in Prayagraj was also approved in the EC meeting. The ghats include Dashashmedh Ghat, Quila Ghat, Naukayan Ghat, Gyan Ganga Ashram Ghat, Saraswati Ghat, Maheva Ghat and Rasulabad Ghat. These ghats will have amenities such as area for bathing, change room, universal access ramp, drinking water points, and flood lights for night, kiosks, landscaping etc. Two more sewerage management projects were approved in the 48th EC meeting, one each in Bihar and Madhya Pradesh. In Bihar, a project to construct 3 STPs (7 MLD, 3.5 MLD and 6 MLD in Zones 1 and 2 respectively), among other works, was approved at an estimated cost of Rs. 77.39 crore. These projects will prevent the flow of polluted water into River Kiul, a tributary of Ganga. In Madhya Pradesh, one project to construct a 22 MLD STP; 2.38 MLD Common Effluent Treatment Plant (CETP) and other works was approved at a cost of Rs. 92.78 crore. This project will prevent the flow of polluted water into River Kshipra, which is sub-tributary of Yamuna.

During the meeting, G Asok Kumar; DG, NMCG urged the officials from the States to do solar farming on the STP sites and promote the use of solar power to run the Nirmal Jal Kendras. He also exhorted the officials to use grills to separate and dispose solid waste from the drains that are flowing into the Rivers. Pointing out that it is the responsibility of the State Governments to maintain the assets created under Namami Gange Programme, DG, NMCG said that Standard Operating Procedures (SOPs) being adopted by the ULBs for cleaning of existing Ghats should be communicated to NMCG. Another project for ghat development was approved for Haridwar; Uttarakhand where Akhand Param Dham ghat will be constructed at a total cost of Rs. 2.12 crore. The project includes construction of Shop/Kiosk (for Ghat pe Haat activities), yoga/meditation lawn, handicap ramp, promenade, platform for cultural and religious activities etc.

The meeting was attended by Shri S.P. Vashishtha, Executive Director (Admin.), NMCG, Shri Bhaskar Dasgupta, Executive Director (Finance), NMCG, Shri D.P. Mathuria, Executive Director (Technical), NMCG, Ms. Richa Misra, Joint Secretary and Financial Advisor, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti and senior officials from the concerned states.

## Charming Chamba Valley

■ G L KHAJURIA

There is hardly anyone who has not seen the most famous movie Mehbooba - starring Rajesh Khanna, Hena Malini Prem Chopra etc which was shot in Chamba Valley. 'Parvat Ke Pichay Chambe Da Gaun, Gaun Mein Do Premi Rehte Hain' was the most prominent song. Spiritually speaking, most of us have had been to Mani Mahesh santum sanctorum where exists the most sacred lake of Lord Shiva and the spot is also named as Shiva's Chougan and there are lush green vibrant surrounding afforested mountainous landscape piously called as 'Shiv Bhoomi' in Barmaur Sub division of Chamba in Kangra district. Many nature lovers also nonenclatures Chamba as lovers' dreamland. Chamba proper is about 220 Km far from Jammu having an altitude of around 990 mts from mean sea level (MSL). Chamba is loveliest and charming valley of Himachal Pradesh, well known for its splendid beauty. The spot is with serene and scenic beauty having crystal clear water of gurgling streams and lakes. The lush green beauty of towering deodar, Kail and other coniferous trees, meadows in the uplands are beyond any description. The majestic mountains and mesmerizing meadows in the upland around Chamba valley and its surrounding is a nature's treasure trove which haunt the pilgrims and tourists alike. Through myths, legend and history, Chamba valley has its fascinating stories to narrate about the culture, tradition and lifestyle of the people. Every year in the month of July - August held an age old prominently event known as Minger. On this auspicious occasion, even the Gods and Goddesses descend down from heaven and mountains homes to rejoice and join the festival to the tune of drums, flutes with other multihued music to pay homage to the lord of mountain valley- Ragnhvera. And during this almost a week long Mela, the charming Chougan enlivens with the conglomeration of the inhabitants and many more from across the adjoining states with their colorful attire. All this gives multi-colored ambience within and around the Chougan. There are well wide-arrayed sequence of traditional dances to the tune of drums, flutes and bagpipers which reflects the everlasting age-old Pahari culture of this picturesque Chamba valley. The valley has a rich and multihued culture heritage of temple architecture, beautiful miniature and paintings akin to craftsmanship of vale of Kashmir. And of the most prominent are the Chapals, Rumals (handkerchiefs) and the embroidered unique caps which are found nowhere across the world. All these cultures have their own identity for which Chamba valley is famous for.

The history reveals that Chamba was founded by Raja Sahil Verma around 920 AD and was named after his favorite daughter 'Champavati'. As far as spiritual aspect is unconcerned, Chamba has over the centuries back continued to enjoy its rich style and culture with Pahari Art, architecture and heritage much of which has been carefully preserved. Chamba has as well been famously known for the temples of God and Goddess. Dating back 8th century, AD, there is a cluster of 6 famous temple with towering vimanas dedicated to lord Shiva and Vishnu and Mata Laxmi. Laxmi Narayan temple is older one and there is rich carving. Bhuri Singh museum is the most prominent with a rich collection of miniatures from Kangra, Basohli and Chamba schools of Paintings, which give rich and beautiful presentation of the time.

At the prominent Chougan of Chamba valley, there is a beautiful presentation of image of Chaturmurti, with four armed image of Lord Vishnu which attract every soul who so ever have its Darshan and veneration. Having an over view, looking over Shamba and Ravi river, there are fabulous and fascinating presentation of Chamunda Devi Mata temple. This temple is hardly around a kilometer are so from the main bus terminus. The wood carvings give a fascinating look to every soul. Apart from, there are multihued temples of various Gods and Goddess as who are revered on important occasion preferably during auspicious Navratras and that is why Chamba valley is famous for the tourists and visitors alike.

(The author is former Deputy Conservator of Forests, J&K).

People of India, that is Bharat ( Art-1 of Constitution of India -COI :: Name and territory of the Union.-(1) India, that is Bharat, shall be Union of States ) shall be celebrating 77th Independence Day in 2023 , Indian citizens ( Art-5 to 10 of COI) shall be celebrating 75th Constitution day in 2023 and have already celebrated 74th Republic day in 2023. All these years Constitution of India has been subjected to 105 Constitution Amendment Acts made under Art-368 of Constitution of India. No doubt parliament has been vested with power ( later added words constituent power under 24th constitution amendment act of 1971 ) through Art-368 ( Procedure for amendment of the Constitution later amended by 24th and 42nd constitution amendment acts of 1971 and 1974 respectively ) of Constitution which ofcourse was not absolute / total as was also observed by Supreme Court of India after Article- 368 had been amended by 42nd Amendment Act 1974 where under Clause- 4 [No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this article whether before or after the commencement of section 55 of the Constitution (Forty-second Amendment) Act, 1976 ] shall be called in question in any court on any ground.] and Clause-5 ( For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition, variation or repeal the provisions of this Constitution under this article. ) were inserted in Art-368 but Supreme Court had held Clause-4 as in valid {Clause Cls. (4) and (5) were ins in article 368 by s. 55 of the Constitution (Forty-second Amendment) Act, 1976. Clause -4 has been declared invalid by the Supreme Court in Minerva Mills Ltd. and Others Vs. Union of India and Others (1980 ) 2 S.C. 59}.

It could be said that framers of constitution had laid basic spirits for democratic republic of

India , that is Bharat, in the Directive Principles of State Policy as well as the objectives set out in the Preamble to the Constitution and a way President of India Democratic Republic had been spirited the task of protecting & defending The Constitution ( Art-60 of Constitution of India ). A very significant feature of 'The Constitution of India well reflects from the fact that the oath that has to be taken by every President and every person acting as President or discharging the functions of the President before entering the Office of President of India is particularly mentioned as an Article of Constitution of India ( Art-60 < - "I, A.B., do swear in the name of God that I will faithfully execute the office solemnly affirm of President (or discharge the functions of the President) of India and will to the best of my ability preserve, protect and defend the Constitution and the law and that I will devote myself to the service and well-being of the people of India." > )where as the oath that PRIME MINISTER has to take is mentioned in SCHEDULE-III [Articles 75(4), 99, 124(6), 148(2), 164(3), 188 and 219]\*

Forms of Oaths or Affirmations [which mentions the text of oaths for Minister/Prime Minister/Chief Justice ("...that I will uphold the Constitution and the laws") justice of SC /Comptroller Auditor General/ Minister for State / Judge of High Court / MP/ MLA/ others.

The other very very special feature of COI reflects from (A) Art- 53 which said (1) The executive power of the Union shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution(2) Without prejudice to the generality of the foregoing provision, the supreme command of the Defence Forces of the Union shall be vested in the President and the exercise thereof shall be regulated by law. (3) Nothing in this article shall-(a)

A Look through the Mist

be deemed to transfer to the President any functions conferred by any existing law on the Government of any State or other authority; or (b) prevent Parliament from conferring by law functions on authorities other than the President : (B) Article -79 i.e . Constitution of Parliament.<There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People>.(C) Among other features it is also worth going through the contents of Art-77 of Constitution ( Conduct of business of the Government of India) as well and consciously sense the spirit / directions enshrined there in to assess how far the 'executive' / political leaderships have been staying with that. { Art- 77. Conduct of business of the Government of India.-(1) All executive action of the Government of India shall be expressed to be taken in the name of the President...)

Similarly the Articles as regards election / appointment of President (Art-54 Election of President Art-55 : Manner of election of President . ) and impeachment of President (Art-61: Procedure for impeachment of the President ) too well reflect what STATUS the 1st Citizen of India( PRESIDENT) had been provided in 'The Constitution of India who had to protect& defend the Constitution of India, of course it had to be also from two elected houses & the executive with Prime Minister as head of the Government. Constitution creates the Parliament through Art-79 and hence Parliament has to be guided/ "governed" by the basic spirits laid in the Constitution and has no unbridled powers/ delegations to amend the constitution under Art-368.

In the Constitution of India (1st edition 1949) Art-74 said that There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of

his functions> but President as protector & defender of Constitution was not supposed necessarily go by the advice of Council of Ministers {Art- 74(1) There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions. (2) The question whether any, and if so what advice was tendered by Ministers to the President shall not be inquired into in any court.}. But during the mid 1970s period / during Emergency period two amendments were made to the Constitution of India where in (i) through 42nd Amendment of 1976 Art-74(1) was amended w.e.f 3-1-1977 from < There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions > to < There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice > and through 44th Constitution Amendment of 1978 Art-74(1) was further added a Proviso w.e.f. 20-6-1979 < Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration. >. Surely the amendments to Art-74 had in a way weakened / diluted the delegation to President as protector & defender of Constitution and while having a review of Constitution after we are in Azadi ka Annirklal such like amendments to constitution of India made during the 1970s Emergency period too need be reviewed.Moreover India is approaching 75th Republic Day and dedicated regular review of the constitution, the amendments made there and needs of the time are otherwise too due that have references made in constitution too.

(The author is a Sr Journalist & analyst of J&K Affairs. dayasagr45@yahoo.com).

# Need to preserve heritage sites

■ DR BANARSI LAL

Every year 18th of April is observed as World Heritage Day across the globe to promote the cultural heritage. The theme of 2023 World Heritage Day is 'Heritage Changes'. The theme for World Heritage Day 2023 is focused on the crucial issues of climate action and its relation to cultural heritage. There is need to show the activities that can be a source of knowledge to fight climate change. This day is celebrated by a wide range of organizations around the globe. On this day we share the information on strengthening and safeguarding our cultural heritage. This day is celebrated in different ways. Monuments and sites are highlighted with the objective of their preservation and protection. Efforts that are needed to protect and conserve diversity of cultural heritage it. Awareness is also created among the masses by writing the articles in newspapers and through the electronic media. Many people also display their thoughts through poems, designing thoughts, quotes and descriptions. In the lockdown period one can arrange the virtual heritage tour if one have the pictures and videos of heritage.

World Heritage is defined as the shared wealth of humankind. This day reminds us of our rich past. Firstly the seeds of World Heritage Day were sown on 18th of April 1982.It was firstly proposed by the International Council of Monuments and Sites (ICOMOS) on 18th of April, 1982 and approved by the General Assembly of UNESCO in 1983.There are grand total of 1,121 UNESCO World Heritage Sites across the globe of which 869 are cultural, 213 are natural and 39 are a mixture. The idea behind the theme is the recognition of all types of heritage sites across the various communities and groups. It has been observed that some cultures were accepted, some were forced upon the people, some were rejected by the people and some cultures were damaged. World Heritage Site is a place such as a building, desert, forest, island, monument etc. which is listed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) as being of special importance. The International Council for Monuments and Sites (ICOMOS) organized a symposium in Tunisia. The calls were made for celebration of an 'International Day for Monuments and Sites' all over the world. This idea picked up the pace and the committee approved the suggestion. The proposal for the celebration of this day was then moved to UNESCO General Conference where a resolution was passed in November 1983.Since that day, the people

across the globe have been celebrating the "International Monuments and Sites Day" also known as "Word Heritage Day" on 18th of April. There is need to recognize the people involved in preserving the sites and monuments, especially scientists, geographers, archaeologists and engineers. Our rich heritage can be protected with our joint efforts. World Heritage Day is celebrated on the diversity of heritage throughout the world. Heritage sites are vulnerable to several factors and we must do our own efforts to protect these valuable assets.

Union Territory of J&K is rich in its ancient monuments and sites that remind us about the rich historical back-ground. There is no dearth of cultural, and historical sites and monuments. All of them have rich history and some were made centuries ago and still stand tall. If these monuments and sites are highlighted, promoted and preserved then tourism in this UT can be enhanced. Collective efforts are needed for the preservation and conservation of the rich heritage of this beautiful Union Territory. Listing and grading of heritage should be done accordingly. Future generations respect those nations and civilizations who protect their culture and environment for posterity. Archaeological Survey of India has identified 28 protected sites in J&K UT which includes 13 in Kashmir Valley and 15 in Jammu. 69 monuments have been included in the list of National importance. J&K framed its own Heritage Conservation and Preservation Act in the year 2010 and constituted Heritage Conservation and Preservation Authority and Executive Committee.

The major objective of legislating the Act and constituting the Authority was to frame the rules, survey the heritage sites and approve them for listing in the heritage inventory. India is rich in monuments and sites that signify our rich culture and heritage. Some of these sites are known across the globe such as the Taj Mahal in Agra or the iconic Chhatrapati Shivaji Terminus in Mumbai. There are various other structures that give us a peek into the bygone era. UNESCO has listed 35 sites in India as part of its World Heritage Sites and that makes India among the top countries in the world in terms of heritage sites. Monuments and sites are the places of importance of cultural or natural heritage as defined by the UNESCO. However, many of us aren't too familiar with all this. Some of the world famous heritage sites are situated in India.

# From Women Development to Women-led Development

■ OMKAR DATTATRAY

Initiatives for women empowerment is going on full swing in India as the women has become equal if not more in the development of the country. It is satisfying that women are excelling in all most all fields and spares of the societal, economic, technological and overall development of the nation. Now a big achievement has been reached in the field of women development and that is the country has achieved a spectacular stride as India has really achieved the status which can be called that Indian women have moved from women development to women-led development and this is in no way an ordinary development. The womenfolk is not only on the right path of self development but the women have become leaders in development of the nation and this is a really a big achievement for the women and the country. The women as the leaders in the development process should give stress on the development of the entire women force and they should not lag behind in any sphere of the life. It is a matter of satisfaction that women are not only developing themselves but are becoming national and global catalysts in the development of the women and thus performing leaders' role in the development of the country. But alas! despite development of the women in almost all fields of human life, there is an alarming incidents of violence against women which is very unfortunate in a country whose religious scriptures are full of the praise for women and also exhorts people to respect the women. In fact it is the women which is the creator and generator of the universe and thus we should revere and respect them and never indulge in violence against women. All of us should respect the women flock and learn to show respect to womne. Recently the nation has celebrated the International Day For Women and this celebration should infuse spirit in us so that we will leave no stone unturned to show respect to women. Women by and large have become agents, catalysts and leaders of the development of the women and the country in the ultimate analysis and this is a big development indeed and all of us should appreciate this new role of the women so that they are given heir due in the scientific and technology driven

world. PM Modi recently while addressing a post budget webinar on women empowerment ,highlighted that enrolment of women in the fields of engineering, science, technology and mathematics in the country today was 42 per cent. Can we make unicorns in self-help groups too, we have brought that vision in this year's union budget. PM Narendra Modi asserted that India has entered a phase of women led development, where girls constitute 43 per cent of STEM education, stream students -among the highest in the world. Pushing for unicorns in self-help groups for women, PM Modi said India has moved from women development to women -led development in last nine years. He further stressed, can we make unicorns in self-help groups too, we have brought that vision in this year's budget. Unicorns are companies that reach a valuation of USD 1 billion, without been listed in the stock exchange market. The PM said that around 70 per cent beneficiaries of Mudra loan are women. The women are not only increasing the income of their families but also opening new economic avenues for the nation. Modi also linked India's progress with the level of respect and the sense of equality by women in the country. He also said India can move forward only by raising the level of respect for women and the sense of equality. Modi also said that this year's budget is an auspicious beginning for achieving the target of Vikasat Bharat by 2047. The prime minister said that this year's budget will give a new momentum to the efforts of women led development. According to Modi ,the results of the efforts for women empowerment are visible and we are feeling a revolutionary change in the social life of the country. PM underlined the Nari Shakti's strengths of determination, will-power; imagination, ability to work for goals and extreme hard work as reflection of 'MatruShakti' He also said that these qualities are playing a major role in increasing the speed and scale of India in this century. He went on and said today the results of the efforts of the women empowerment are visible and there is a revolutionary change in the social life of the country. He said the number of women compared to men is increasing and the number of girls studying up to high school and beyond has tripled in the last 9-10

years. In the fields like medical, sports, business or politics, not only the participation of women has grown but they are leading from the front. Highlighting different government schemes that have contributed to the development of women ,He mentioned the PM Awas Yojna which he said has given women a new voice in economic decisions of the household. The reflection of how we can take the country forward with the help of half of the country's population and how we can increase the potential of women power is visible in this budget. It should be noted that Mahila Samman Saving Certificate Scheme where women are to get 7.5 per cent interest .Rs 80,000 crore for PM Awas Yojna is also a step in the direction of women empowerment as most of the 3 crore houses are in the name of women. Modi stressed the empowering aspect of PM Awas Yojna in a scenario where, traditionally women had no property in their name. PM Awas Yojna has given a new voice to women in the economic decisions of the household.PM pointed out that women today are contributing not only as small entrepreneurs but also as capable resource persons. The particular mentioned is made of the Bank Sakhi, Krishi Sakhi and Pashu Sakhi programmes that are scaling new dimensions of development in villages. It is pointed out that at present four out of five non -farm businesses is run by women.PM also dwelled on the role and importance of the women in co-operative sector and its development. Modi elaborated on the role of women self -help groups in promotion of Shree Anna. In fact despite the development of the women and the women led development is gaining ground in the country but still the exploitation of the women and violence against the women is rising alarmingly and it is cause of grave concern. We should help the women in their honest and sincere endeavors of self as well as nation's development. In short it will not be an exaggeration to say that women are performing roles as the engineers, architects, agents, catalysts' and above all as the leaders in the 21st century India and women's empowerment and this is a welcome development for the country including women who are contributing immensely in the nations development.