

1.4. OTHER IMPORTANT NEWS

Issues Related to Constitution	
Essential Religious Practice	<ul style="list-style-type: none"> Karnataka High Court has ruled that Wearing Hijab is not essential religious practice in Islamic faith and is not protected under right to freedom of religion under Article 25 of Constitution. Ruling has come in the backdrop of petition seeking the right to wear hijabs or head scarves along with uniforms inside classrooms. About essential religious practice test <ul style="list-style-type: none"> It was evolved by Supreme Court (SC) in 'Shirur Mutt' case (1954) to protect only such religious practices which were essential and integral to the religion. Court held that term "religion" will cover all rituals and practices "integral" to a religion, and took upon itself the responsibility of determining essential and non-essential practices of a religion. This attempt to differentiate essential and non-essential practices was taken up in various judgments. <p>Related Terminology: Reasonable Accommodation</p> <ul style="list-style-type: none"> It has been argued that recent Karnataka verdict on wearing the hijab overlooked the principle of reasonable accommodation. About Reasonable accommodation: <ul style="list-style-type: none"> It is a principle that promotes equality, enables the grant of positive rights and prevents discrimination based on disability, health condition or personal belief. The general principle is that reasonable accommodation should be provided, unless some undue hardship is caused by such accommodation. Its use is primarily in the disability rights sector. In India, the Rights of People with Disabilities Act, 2016, defines 'reasonable accommodation'.
Legal Entity Status	<ul style="list-style-type: none"> Invoking 'parens patriae jurisdiction', the Madras HC bestowed 'legal entity' status upon 'nature' and directed the State and Central governments to protect it. <ul style="list-style-type: none"> Earlier, in 2017 Uttarakhand HC, granted the Ganga and Yamuna rivers had the same legal status as human beings, however Supreme Court overruled this order. Also, in 2018, Uttarakhand HC declared the "entire animal kingdom including avian and aquatic" as legal entities. Significance: <ul style="list-style-type: none"> The court ruled that Mother Nature will have rights, duties and liabilities enjoyed by a living person. <ul style="list-style-type: none"> ✓ The court further observed that natural environment is part of basic human rights, of 'right to life' itself. Expansion of environmental law and attitudinal & behaviour change in utilisation of natural resources. Parens Patriae in Latin means "parent of the nation". It allows the guardianship of the State of the rights of entities that are unable to fight for their own rights.
Reservation in promotions for SCs and STs	<ul style="list-style-type: none"> The DoPT has asked all departments of central government to collect the data on inadequacy of representation of Scheduled Castes and Scheduled Tribes before implementing the policy of reservation in promotion in government offices. About Reservation in promotion <ul style="list-style-type: none"> Article 16 (4A): Empowers State to make provisions for reservation in matters of promotion to SC/ST Nagaraj v. Union of India, 2006: SC laid down 3 criterion to be followed for implementing reservation in promotion. <ul style="list-style-type: none"> ✓ The collection of quantifiable data regarding the inadequacy of representation of SCs and STs. ✓ The application of this data to each cadre separately. ✓ The cadre being the unit of operation of the promotion roster Jarnail Singh v L.N. Gupta (2018): SC held that states need not be required to collect quantifiable data on the backwardness of the SCs and STs.
One Rank, One Pension (OROP) Scheme	<ul style="list-style-type: none"> SC ruled that there was "no constitutional infirmity" in the way government had introduced OROP among ex-service personnel. The Koshiyari Committee has defined OROP as a uniform pension be paid to the Armed Forces Personnel retiring in the same rank with the same length of service regardless of their date of retirement. <ul style="list-style-type: none"> Thus, any hike in the pension rates to be automatically passed on to past pensioners.