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1. How Prime Minister Modi's visit to Austria sends a message both to Moscow and the West

Why in News?

Narendra Modi's visit to Vienna this week was the first by an Indian Prime Minister to Austria since June 1983, when Indira Gandhi travelled to the country.

The Prime Minister's decision to travel to Vienna immediately after he met President Vladimir Putin in Moscow was significant — Austria is a European country that is not a part of Nato, the US-led anti-Russia trans-Atlantic military alliance, whose 32 leaders gathered in Washington DC this week.



Message to both sides

During the visit that Modi said was being watched by the “entire world”, the Prime Minister told Putin that the death of innocent children causes “pain and the heart simply explodes”, that “peace talks do not succeed amid bombs, guns and bullets”, and that the “solution [to any conflict] cannot be found on the battlefield”.

Modi’s statements conveyed India’s deep concern at a suspected Russian missile attack on a children’s hospital in Kyiv. The attack, carried out when the Prime Minister was in Russia, reflected a pattern — in December 2023, when External Affairs Minister S Jaishankar visited Moscow to meet Putin and his Foreign Minister Sergey Lavrov, Russia launched its biggest air attack on Ukraine since the beginning of the war in February 2022, killing at least 31 people, according to the Ukrainian military.

So, speaking in Vienna with Chancellor Karl Nehammer the day after he met Putin, the Prime Minister stressed again that “this is not a time for war”, that “problems cannot be solved on the battlefield”, and that the “loss of innocent lives anywhere is unacceptable”.

The reiteration was India’s clear message to Western capitals concerned over Modi’s bilateral meeting with Russia’s leader.

Country born neutral

Vienna was under Nazi occupation during World War II. After the end of the war, it was divided into four sectors by the US, the UK, France, and the Soviet Union, supervised by the Allied Commission. The Allies occupied Austria for a decade after the war ended.

In 1955, the four occupying powers signed the Austrian State Treaty with the Austrian government to establish Austria as an independent state. The Soviet Union demanded that Austria, which is located strategically between capitalist western Europe and the communist bloc in the east of the continent, maintain neutrality on the model of Switzerland, with the four powers pledging to the integrity and inviolability of Austrian territory.

The 1955 treaty, which was ratified by all countries, thus bound Austria to neutrality. The constitution of Austria prohibits entering into military alliances, and the establishment of foreign military bases on Austrian territory.

Austria and Nehru

In 1952-53, the Austrians approached Jawaharlal Nehru, who was respected by both Western nations and the Soviets, for help in securing a sovereign nation.

India was among the few countries that supported Austria’s appeal at the United Nations General Assembly in 1952 for an end to the Allied occupation and the restoration of its sovereignty.

Köchler, the well known Austrian philosopher, quoted from a report published in the Austrian daily Neues Österreich on June 21, 1953: “Prime Minister Nehru...is without a doubt the only personality in international politics whose ‘good offices’ can be effective in supporting Austria in her efforts towards the realization of the State Treaty.”

In June 1955, about a month after Austria had gained full independence through the conclusion of the State Treaty, Nehru paid a State Visit to the country, the first by a foreign leader.

Evolution of ties

Diplomatic relations between India and Austria were established on November 10, 1949 — this year marks its 75th anniversary.

The year after Indira's visit in 1983, Austria's Chancellor Fred Sinowatz came to India on a reciprocal visit. President K R Narayanan went to Austria on a State Visit in November 1999; Austria's President Dr Heinz Fischer came in February 2005, and President Pratibha Patil visited Austria in October 2011.

Relevance: GS Prelims & Mains Paper II; Bilateral Relations

Source: Indian Express

2. In Kejriwal bail, lens on ED's power to arrest

Why in News?



The Supreme Court recently granted interim bail to Arvind Kejriwal in the case brought by the Enforcement Directorate (ED) in the alleged Delhi excise policy scam. The Chief Minister of Delhi, who was arrested on March 21 this year, had challenged the legality of his arrest.

The order has ramifications beyond Kejriwal and the Aam Aadmi Party (AAP).

In its 66-page ruling, the SC raised some crucial concerns over the ED's power to arrest under the Prevention of Money Laundering Act, 2002 (PMLA), and the way the agency uses that power.

What does the interim bail in the ED case mean for Arvind Kejriwal?

It is a shot in the arm for Kejriwal and AAP. A trial court had granted regular bail to Kejriwal in the same case but the Delhi High Court had stayed the order. However, Kejriwal will remain in jail for now, since he is also under arrest in the Central Bureau of Investigations's (CBI's) case in the same alleged scam.

A special CBI court is likely to hear that case on July 17. What happens then will dictate when he can be released from custody. The bar for bail in a CBI case is lower compared to an ED case.

On what grounds has the SC granted Kejriwal interim bail now?

The SC did not really make a finding on whether Kejriwal's arrest was legal or not — but it did find sufficient grounds to question how the ED uses its power to arrest. This issue required "in-depth consideration" by a larger Bench, the court said.

Therefore, until the larger Bench decides this question, Kejriwal who “has suffered incarceration of over 90 days”, must be released on bail, the court said.

In 2022, a three-judge Bench upheld the PMLA and virtually all of the ED’s powers, including its power to arrest. However, the ruling did not specifically address the principles on the necessity to arrest. A Bench of five judges will now have to hear the issue.

What is the Enforcement Directorate’s power to arrest under the PMLA?

The SC’s ruling is essentially on the ambit of Section 19 of the PMLA, the provision in the law from which the ED draws its power to arrest.

Section 19(1) reads: “If [the authorised officer]...has on the basis of material in his possession, reason to believe (that reason for such belief to be recorded in writing) that any person has been guilty of an offence punishable under this Act, he may arrest such person and shall, as soon as may be, inform him of the grounds for such arrest.”

The benchmark for arrest that can be distilled from this provision is that the ED officer must, from the “material in his possession”, have “reason to believe” that the accused is “guilty” of the offence — and then record his reasons and share them with the accused at the time of arrest.

These words are crucial since the PMLA is a departure from ordinary criminal law. While the threshold in ordinary law is far lower, getting bail is also not as difficult. Under Section 41 the Code of Criminal Procedure (CrPC), police can arrest a person without a warrant when a “reasonable suspicion exists” that the person has committed a cognizable (serious) offence.

The bar for bail under PMLA, which imposes a reverse burden of proof — which means that instead of the prosecution having to prove their accusation, it is the accused who must prove their innocence — too, is different from ordinary criminal law.

Under PMLA, the test for bail is a prima facie finding by the court that the accused is not guilty.

So what was Kejriwal’s case?

Kejriwal’s case was essentially that the ED had “no necessity to arrest him” on March 21. His lawyers argued that the ED’s “reasons to believe” selectively refer to the implicating material, and ignore the exculpatory material.

Kejriwal’s lawyers argued that the ECIR (Enforcement Case Investigation Report, akin to an FIR) was registered in August 2022, and the material that the ED relied on for the arrest was available to it by July 2023 — but the arrest finally happened in March 2024. The ED’s “material” was basically the statements of approvers, and Kejriwal argued that the agency relied upon only those statements in which he was named.

The legality of arrest is not just a technical aspect. Since stringent laws such as the PMLA and the Unlawful Activities Prevention Act (UAPA) impose a high bar for bail, the procedural safeguards become the test against arbitrary arrest. Since getting bail is so difficult, due

process requires the agency to scrupulously follow the rigours of the law in arresting an individual.

And what did the court find?

The court has a primary finding on how it interprets the words “reasons to believe”. Since Section 19 states the “reasons to believe” must be to establish a finding of “guilt” and nothing less, the SC held that the ED must have a higher bar for what it considers reason to believe. Essentially, the reason must virtually be “evidence admissible in court”, because that is what is needed to establish guilt — and not just a subjective finding of the ED.

What is the upshot of the ruling?

Although the issue has to be debated before a larger Bench, recent ruling essentially restricts the ED’s scope for arrest. The criticism that the ED has over the years used its powers arbitrarily, and that jail under PMLA means bail is virtually impossible, will now face fresh judicial scrutiny.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

3. NASA’s CHAPEA project: Why 4 people spent a year in an airlocked space simulating Mars

Why in News?

On July 6, four volunteer crew members of NASA’s Mars simulation mission emerged after a year of living in a habitat replicating the Red Planet.

A part of NASA’s Crew Health and Performance Exploration Analog (CHAPEA) project, it was the first of three planned simulations to understand the challenges Mars poses for space explorers



How was the Mars simulation created?

A 3D printed airlocked habitat of 1,700 sq feet was created and set up at the Johnson Space Center in Houston, Texas, dubbed "Mars Dune Alpha". The crew entered the simulated space on June 25, 2023, and emerged after 378 days. They were put through several scenarios that astronauts could expect on Mars, including conducting spacewalks in suits (called "Marswalks"), growing vegetables, and facing stressors such as communication delays with mission control on Earth, limited resources and prolonged isolation.

What is the habitat like on Mars?

The temperature on Mars ranges between 20 degrees Celsius and -153 degrees Celsius. The planet has a rocky surface with canyons, volcanoes, dry lake beds, and craters, all covered in red dust.

Winds can create dust storms, with tiny ones resembling tornadoes and large ones occasionally enveloping the entire planet. They are visible from Earth using telescopes. It has about one-third the gravity of Earth and the atmosphere is much thinner than Earth's, containing more than 95% carbon dioxide and less than 1% oxygen.

The planet turns on its axis more slowly than Earth, and being farther from the Sun, takes longer to revolve around the Sun. A day on Mars is 24.6 hours and a year is 687 Earth days long.

What are the other challenges involved in a mission to Mars?

The biggest challenge is the long duration of a Mars mission because even a one-way trip would take six to nine months. Other challenges include logistics for life support, and maintaining supplies and crew health.

Mars's thin atmosphere also makes it difficult to slow down a spacecraft for a safe and precise landing. Given the distance, communications from and to Earth could have as much as a 20-minute lag, which would be too long in case of real-time help during emergencies.

What are India's plans for a Mars mission?

ISRO is preparing for astronomy missions and exploratory missions to the Sun, Mars and Venus in the next few years.

In 2014, India tasted success with its Mars Orbiter Mission (MOM) or Mangalyaan, becoming the first nation to reach Martian orbit in its first attempt.

Relevance: GS Prelims; Science & Technology

Source: Indian Express