



BENEVOLENT IAS ACADEMY

1626 – A, Sri Vinayaga Complex,
Hope College, Peelamedu (PO),
Coimbatore – 641 004.

Cell: +91-9787731607, 9787701067.

Web: www.benevolentacademy.com, E-Mail: benevolentacademy@gmail.com

TODAY'S IMPORTANT CURRENT AFFAIRS

UPSC PRELIMS

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TODAY'S DROPS OF NEWS:

<u>SUBJECT</u>	<u>IN NEWS</u>
POLITY	J&K Police conduct large-scale crackdown in 10 districts; nearly 100 people detained.
ECONOMY	---
GEOGRAPHY	---
HISTORY AND ART & CULTURE	---
ENVIRONMENT	---
SCIENCE & TECH	---
MISCELLANEOUS	---

POLITY

In news: J&K Police conduct large-scale crackdown in 10 districts; nearly 100 people detained.

Article 22 of the Indian constitution states that, The requirement under Article 22(1) of the Constitution to inform an arrested person about the grounds of arrest is not a formality but a mandatory constitutional requirement, and failure to do so

will render the arrest illegal, the Supreme Court ruled recently.

- **Article 22(1)** provides that no person can be arrested or detained without providing the reasons for the same. The person is also entitled to consult or be defended by a legal practitioner of his choice.
- **Article 22(2)** further provides that the person arrested or detained in custody must be produced before the nearest Magistrate within 24 hours of his arrest or detention.
- ✓ This time period does not include the time taken to travel from the place of arrest to the court of the Magistrate.
- ✓ Further, it provides that no person can be detained in custody after the above-mentioned period has passed, without the permission of the Magistrate.
- **Clause (3)** is an exception to Article 22(1) and 22(2). It states that the said clauses are not applicable to: An enemy alien; or Any person who has been arrested or detained under any preventive detention law.
- **Article 22(4)** provides that no person can be detained for more than three months under any law relating to preventive detention, unless it has been opined by the Advisory Board that such detention is justified.
- As per **Article 22(5)**, it is mandatory to disclose the grounds of arrest or detention to the arrestee or person detained in custody. The person must also be given an opportunity to make representation against the order of his detention.
- **Article 22(6)** states that the detaining authority is empowered to not disclose facts that are against public interest, while disclosing the grounds of arrest or detention to the concerned person.
- Under **Article 22(7)**, lays down that the Parliament has been empowered to prescribe the Circumstances or classes under which a person may be detained for more than three months, without obtaining any opinion of the Advisory Board. Maximum period for which a person can be detained under preventive detention laws. Procedure to be followed by an Advisory Board in an inquiry as per clause 4 of Article 22.

MENTOR

Mr. V. GOKULA KRISHNAN

ACADEMIC ADVISOR

Mrs. D. Rajakali Thomas