

CURRENT AFFAIRS : MARCH 2023

THE SEVENTH SCHEDULE

An analysis report of the working of the Seventh Schedule was released by the Economic Advisory Council to the Prime Minister (EAC-PM).

Seventh Schedule

- It is constituted under **Article 246**.
- It specifies the distribution of powers and responsibilities between the states and the centre, as enumerated in three lists.
 - o Union list consisting of 97 entries.
 - o State list consisting of 66 entries.
 - o Concurrent list consisting of 47 entries.
- Article 248 confers residuary powers on the Parliament.
 - o Residuary powers refer to the power of jurisdiction upon subjects that are not mentioned in the state or concurrent list.
- Procedure for amending Seventh schedule:
 - o It can be amended as provided under **Article 368 of Constitution**.
 - o It requires special majority of the Parliament (majority of the total membership of the House and by a majority of not less than two-thirds of the members of the House present and voting) and also the consent of half of the state legislatures by a simple majority.

Rationale for emphasis on Strong centre in Indian Federal Setup:

- **The Partition Episode:** There was an imminent need for a strong Centre and the choice was made in light of partition to secure the unity of India against separatists tendencies in the future.
- **The Princely States problem:** The princely states accounted for 40% of the territory and 30% of the overall population of the sub-continent and merging them all, into a single entity needs a Strong Centre.
- **To enable balanced growth:** At the time of independence, India was among the poorest nations in the world, which prompted the need for the collective utilization of the country's resources.
- **The diversity of the country:** As per the Constituent Assembly, the diverse nature of the country needed a common approach in many aspects to unify the regions better.
- **National security and defense:** A strong center is necessary to ensure that the country's borders are secure and that the armed forces are able to defend the nation against external threats.

ELECTORAL FUNDING

According to a recent report by the Association of Democratic Reform (ADR), donations from unknown sources comprised more than half the funding received by eight national political parties.

- Political parties are not required to reveal the name of individuals or organizations giving less than Rs. 20,000 nor those who donated via Electoral Bonds.
- Out of total income from unknown sources, the share of income from Electoral Bonds was 83.4 %.

Issues in election funding

- **No limit on political parties:** Under Section 77 of Representation of Peoples Act, 1951 and Conduct of Election Rules, 1961, there are limits on election expenditure only for candidates, such a limit is absent in the case of political party expenditure.

- **Lack of transparency:**

- o Political parties are not required to provide sources of the funds received by them. As a result, there is no information on donors of political parties at the time of elections.

- o Contributions received by the parties are also 100% exempted from income tax.

- Corporate and political parties' nexus: Corporate donations of political parties have been growing significantly. Also, the anonymity provided by Electoral Bonds further strengthens this nexus.

Electoral Bond



What is An Electoral Bond?

- An interest-free financial instrument for making anonymous donations to political parties: resembles a promissory note



Who May Purchase These Bond?

- A Citizen of India or a body incorporated in the country



What are different Bond Denominations?

- 1,000, 10,000, 100,000, 1 million, 10 million can be purchased from selected branches of SBI



When May Such Bonds Be Bought?

- Available for purchase for 10 days each in January, April, July, & October



What is its Lifespan?

- Redeemable in the designated account of a registered political party within 15 days since issuance



Which Political Parties Are Eligible To Receive Donations Through Electoral Bonds?

- Political parties who have at least secured 1% votes in the last Lok Sabha or state assembly elections and are registered under Section 29A of the Representation of the People's Act, 1951



When was it announced?

- Electoral bond scheme was announced in Union Budget 2017-18.



What are other features?

- There is no limit on the number of bonds an individual or company can purchase.
- SBI deposits bonds that a political party hasn't encashed within 15 days into the Prime Minister's Relief Fund.

PANEL FOR APPOINTMENT OF ELECTION COMMISSIONER

Recently, the Supreme Court (in Anoop Baranwal vs. Union of India 2023) has ruled that election commissioners and the Chief Election Commissioner will be chosen by a panel.

- **Temporary mechanism:** The Panel would continue to advise the President on the appointment until the Parliament enacts a law on the appointment process of Election Commissioners.
- **Independence of EC:** The move is aimed at insulating the appointment of the Chief Election Commissioner (CEC) and election commissioners from the Executive's interference.
- **Permanent Secretariat:** The SC has also asked the Parliament and the Union government to put in place a permanent secretariat for the Election Commission of India (ECI).









GST APPELLATE TRIBUNAL (GSTAT)

The Finance Bill, 2023 provided for the establishment of the Goods and Service Tax (GST) Appellate Tribunal (GSTAT).

- In the 49th GST Council Meeting, a report of the Group of Ministers (GoM) was accepted which recommended for the establishment of the GSTAT.
- The Finance Bill, 2023 amended section 109 of the Central Goods and Services Tax Act, 2017 in order to facilitate the creation of the GSTAT and its benches.
- The constitution of GSTAT has been pending since 2017.

Goods and Service Tax (GST)

- GST is an **indirect tax** which has subsumed many indirect taxes in India such as **excise duty**, **VAT**, **services tax**, etc.
 - It excludes taxes of alcohol, petroleum, electricity and basic custom duties.
- It was implemented in the year 2017 through the **101st Constitutional Amendment Act, 2016**.
- Moreover, it is a **comprehensive, multi-stage, destination-based** tax that is levied on every value addition.
- It has brought uniformity in tax jurisdiction in India i.e. **"One Country One Tax System"**.

|  Goods and Services Tax Council | |
|---|--|
| Secretariat | New Delhi |
| Genesis  | It is established as per Article 279A , which was inserted in the Constitution through the 101st Constitutional Amendment Act, 2016 . |
| About  | It is a joint forum of the Centre and the States . It facilitates the implementation of the GST. |
| Functions  | It makes recommendations to the Union and the States on important issues related to GST , like the goods and services that may be subjected or exempted from GST , model GST Laws , principles that govern Place of Supply , threshold limits , etc. |
| Membership  | Chairperson - Union Finance Minister Member - Union Minister of State, in-charge of Revenue of finance and Minister In-charge of finance or taxation or any other Minister nominated by each State Government |
| Appellate Mechanism  | Central Goods and Services Tax Act, 2017 provides four stages of appeal and review (first forum to last): <ul style="list-style-type: none"> ✦ Appeal to GST Appellate Authority ✦ Appeal to GSTAT ✦ Appeal to High Court ✦ Appeal to Supreme Court |

| GST Appellate Tribunal (GSTAT) | |
|---|---|
| <ul style="list-style-type: none"> It is the second appeal forum under GST, it will hear appeals against the orders passed by the Appellate Authority or the Revisional Authority. It is the duty of the GSTAT to ensure uniformity in the redressal of disputes arising under GST. | |
| Benches | |
| Principal Bench | State Bench |
| <ul style="list-style-type: none"> It shall consist of the President, a Judicial Member, a Technical Member (Centre), and a Technical Member (State). It will be located at New Delhi. Only Principal Bench shall hear the cases involving the issue of place of supply. | <ul style="list-style-type: none"> It shall consist of two Judicial Members, a Technical Member (Centre) and a Technical Member (State). These are established on the request of the State and the recommendations of the GST Council. |
| Jurisdiction of Judges (Members) under both Principal Bench and State Benches | |
| Single Member | One Judicial and One Technical member |
| <ul style="list-style-type: none"> Demand in appealed order up to Rs. 50 Lakh Related to Tax, ITC, Fine, Fee or Penalty only Does not involve Question of Law. | <ul style="list-style-type: none"> Demand in appealed order exceed Rs. 50 Lakh Related to Tax, ITC, Fine, Fee or Penalty etc. Involves Question of Law Cases involving issue of place of supply-only by Principal Bench |
| Differences of opinion between the judges | |
| State Bench | The president shall refer the case to another member of the same State Bench or if no such member present then to a member of another State Bench . |
| Principal Bench | The president shall refer the case to another member of Principal Bench or if no such member present then to a member of any State Bench . |

OFFICE OF LOKPAL

Parliamentary panel on Personnel, Public Grievances, Law, and Justice in its report found that Lokpal, has not prosecuted a single person for graft till date.

About Lokpal

- Lokpal is a statutory body constituted under the Lokpal and Lokayuktas Act, 2013.
 - The act mandates for creation of Lokpal for Union and Lokayukta for states.
- The Lokpal and Lokayuktas Act of 2013** aims to enhance the current legal and institutional frameworks to facilitate better implementation of the obligations outlined in the United Nations Convention against Corruption.
- Jurisdiction of the Lokpal:**
 - Prime Minister, Ministers, members of Parliament, Groups A, B, C and D officers and officials of Central Government.
 - Chairpersons, members, officers and directors of any board, corporation, society, trust or autonomous body either established by an Act of Parliament or wholly or partly funded by the Union or State government.

o Any society or trust or body that receives foreign contribution above ₹10 lakh.

- **Composition of Lokpal:** Lokpal shall consist of a Chairperson and a maximum of eight Members, of which fifty percent shall be judicial Members.

o Fifty per cent of members of Lokpal shall be from amongst SC, ST, OBCs, Minorities and Women.

- **Appointment of Members of Lokpal:** The Chairperson and the Members of the Lokpal shall be appointed by the President on recommendations of a Selection Committee.

- **Term of Office:** The chairperson and every member hold office for a term of five years or until he/she attains the age of 70 years, whichever is earlier.

- **Salary and allowances:** Chairperson shall be the same as those of the Chief Justice of India.

o Other Members shall be the same as those of a Judge of the Supreme Court.

- **Removal of Lokpal:** The President can make a reference to the Supreme Court on the ground of misbehaviour either on his own or if 100 MPs sign a petition seeking the removal of the chairperson or any of the members.

o If the SC, after an inquiry, finds the charges to be true, s/he should be removed by President.

- **Reappointment:** On ceasing to hold office, the Chairperson and every Member shall be ineligible for reappointment as the Chairperson or a Member of the Lokpal.

o They are also ineligible for any diplomatic assignment, appointment as administrator of a Union territory and such other assignment or appointment which is required by law to be made by the President by warrant under his hand and seal.

- **Complaint format:** A complaint under the Lokpal Act should be in the prescribed form and must pertain to an offence under the Prevention of Corruption Act, 1988 against a public servant.


o There is no restriction on who can make such a complaint.

- **Wings of Lokpal:** The Lokpal has two major wings: Inquiry wing and prosecution wing.



United Nations Convention against Corruption (UNCAC)

 **Genesis:** It was adopted by UN General Assembly in 2003 came into force in 2005.

 **Objective:** UNCAC aims to **promote and strengthen measures to prevent and combat corruption** more efficiently and effectively.

 **Status:** Signatories: 140 and Parties: 189 
Party

 **Key features:**

- UNCAC is the **only legally binding universal anti-corruption instrument**.
- The Convention covers five main areas: **preventive measures, criminalization and law enforcement, international cooperation, asset recovery, and technical assistance and information exchange**.
- The Convention **covers many different forms of corruption**, such as bribery, trading in influence, abuse of functions, and various acts of **corruption in the private sector**.

★

Issues with Lokpal in India

- **Delay in appointments:** The appointment of the Lokpal was delayed for several years after the law was passed in 2013.
 - o The Post of the Chairman was left vacant since may 2022, which is against the directions of the Lokpal act 2013.
 - o Vacancies of two Judicial Members have also not been filled up since the year 2020.
- **Vacancy:** The sanctioned strength of the Lokpal is 82 posts against which 32 are in position
 - o Inquiry and prosecution wings of the lokpal are yet to be set up.
 - o The Lokpal has also not appointed the Director of Inquiry or Prosecution.
- **Low Performance:** Only three complaints were fully investigated.
 - o It has not prosecuted even a single person accused of graft.
 - o It disposed of 68% corruption complaints against public servants without any action.

✓ A large number of complaints are being disposed of on the ground that the complaint is not in the prescribed format.

- **Lack of political will:** Since 2013, many states have delayed the appointment of the Lokayukta.

o Section 63 of the Lokpal and Lokayuktas Act, 2013, envisages that every State shall establish a body to be known as the Lokayukta within a period of one year from the date of commencement of the Act.

- **Lack of faith:** The dwindling numbers of complaints highlights that people lack faith in the watchdog.

- **Grievance redressal:** There are no adequate provisions for appeal against the Lokpal decision.

REGULATION OF FAKE NEWS

Recently, Ministry of Electronics and Information Technology (MeitY) notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023.

Issues arising due to Fake online content

- **Rise in number of Fake News:** A total of 1,527 cases of fake news were recorded in 2020 against 486 cases in 2019 (National Crime Records Bureau (NCRB) report).

- **Disturbing Social Fabric:** Rise in rate of communal violence due to fake news or videos shared on social media. For example, sharing a fake image and passing it off as one from West Bengal's North 24 Parganas led to communal violence in 2017.

- **Use by Militants and anti-social organisations:** Using fake news for spreading propaganda, radicalisation and conspiracy theories for destabilising societies.

o Recently, the Ministry of Information & Broadcasting has ordered blocking of 35 YouTube based news channels and 2 websites which were involved in spreading anti-India fake news.

- Reputation of organizations: Fake campaigns have also been used to malign the reputation of organisations as well as to manipulate stock markets. E.g., 'Arctic Ready' hoax targeting Shell in 2012.
- Affecting Free and Fair Elections: Doctored content and fake news influences voter behavior based on religion, caste, region, etc.

o It can also lead to political polarization and post-truth politics.

Efforts by the Government to counter Fake News

- **IPC Section 505**, a broad provision relating to “statements conducing to public mischief”, punishes acts of rumour mongering and circulation of false news.
 - o Punishment includes imprisonment which may extend to three years, or with fine, or with both.
- **Delhi Declaration of United Nations Security Council (UNSC) Counter-Terrorism Committee (CTC)**: India flagged concerns over increased use of cyberspace and other Information Communication Technologies (ICT), including social media.
- **PIB's fact-checking unit**: It was set up in December 2019, flags news reports and any other information, including on WhatsApp or social media, about the government which, in its assessment, is fake or misleading.

ENEMY PROPERTY

Recently, the Union Home Ministry has started the process for eviction and sale of enemy properties.

- According to a Home ministry notification, the guidelines for disposal of the enemy properties have been changed under which the process for eviction of enemy properties now shall be initiated with the help of the District Magistrate or Deputy Commissioner concerned before the sale of properties.
- There are a total of 12,611 establishments called enemy property, estimated to be worth over ₹1 lakh crore, in the country.

- o Out of the 12,611 properties vested with the Custodian of Enemy Property of India (CEPI), a total of 12,485 were related to Pakistani nationals and 126 to Chinese citizens.
- o The highest number of enemy properties were found in Uttar Pradesh, followed by West Bengal, Delhi.
- None of the 12,611 immovable enemy property has been monetised so far by the government.

About Enemy Property

- Enemy property refers to property or assets held or managed on behalf of an enemy subject or an enemy company.
 - o It also refers to assets left behind by individuals who migrated to Pakistan or China and are no longer citizens of India.
 - o These assets include land, buildings, shares held in companies, jewellery of the citizens of enemy countries.
- The Central government took over properties of citizens of China (in 1962) and Pakistan (in 1965 and 1971) under the Defence of India Acts.
- To administer these properties, the **Enemy Property Act** was enacted in 1968.
 - o The Enemy Property (Amendment and Validation) Act, 2017 had amended the Enemy Property Act, 1968, to bar successors of those who migrated to Pakistan and China during partition from any claim over the properties left behind in India.
- The law empowered the **Custodian of Enemy Property of India** (CEPI) to manage and preserve the enemy properties.
 - o Enemy properties valued between ₹1 crore and ₹100 crore will be disposed of by the CEPI through an electronic auction or otherwise, as may be decided by the central government and at the rate determined by the Enemy Property Disposal Committee.

BAR COUNCIL OF INDIA

- Bar Council of India (BCI) notified Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022.
- Key Highlights of the rules
 - Allows foreign lawyers and law firms to
- ✓ Register with BCI to practise in India.
- ✓ Practice in non-litigious matters, which would be laid down by BCI in consultation with Ministry of Law.
- ✓ Advise Indian clients on international legal issues, including international arbitration.
 - However they will not be allowed to appear before any courts, tribunals or any other regulatory authorities.
- Significance of the move
 - Law firm to benefit from exposure to global best practices.
 - It will provide foreign firms and investors with some judicial comfort.
 - It will help in attracting FDI and making India a hub of International Arbitration.



Bar Council of India

New Delhi

Genesis: It was established by Parliament under Advocates Act, 1961 to regulate and represent Indian bar.

Statutory functions:

- To lay down standards of professional conduct and etiquette for advocates.
- To safeguard rights, privileges and interests of advocates.
- To recognize Universities whose degree in law shall be a qualification for enrolment as an advocate.

Key members: The BCI consists of members elected from each State Bar Council (SBC), and the Attorney General of India and the Solicitor General of India who are ex-officio members.

- The members from SBCs are elected for a period of five years and Chairman and Vice-Chairman are elected by the council for a period of two years from amongst its members.

CONSUMER DISPUTES

- Supreme Court (SC) eased norm for selection of consumer court presidents, members.
- SC eased norms, using powers under **Article 142**, with an aim to attract younger talent to preside over consumer courts:
 - o Reduced mandatory professional experience for appointment as President and member of state consumer commission and President (presently 20 years) and Member of district forums (presently 15 years) to 10 years.
 - o Introduced written exams and viva voce to check candidates' performance.
- With an objective to provide better protection of the interests of the Consumers, especially in the digital era, **Consumer Protection Act (CPA), 2019** was enacted.
 - o It replaced Consumer Protection Act, 1986.

Key Feature of CPA, 2019

- o Promulgates a three-tier quasi-judicial mechanism for redressal of consumer disputes
- o Central Consumer Protection Authority to protect rights of consumers.
- o Penalties for misleading advertisement.

WINDSOR FRAMEWORK

- UK government reached a landmark deal with European Union on post-Brexit trade rules that will govern Northern Ireland.
 - o Windsor Framework will replace the Northern Ireland Protocol.
- Framework has two crucial aspects
 - o Introduction of a green lane and red lane system for goods that will stay in Northern Ireland and those that will go to EU respectively.

o Stormont Brake allows Northern Ireland lawmakers and London to veto any EU regulation they believe affects the region adversely.

OPERATION INTERFLEX

- Operation Interflex is a part of United Kingdom's (UK) commitment of £2.3 billion for military aid and support to Ukraine.
- Under it, UK and other countries including Canada, New Zealand, Australia, Norway, Denmark, Finland, Sweden, Lithuania, and Netherlands are training Ukraine's military.

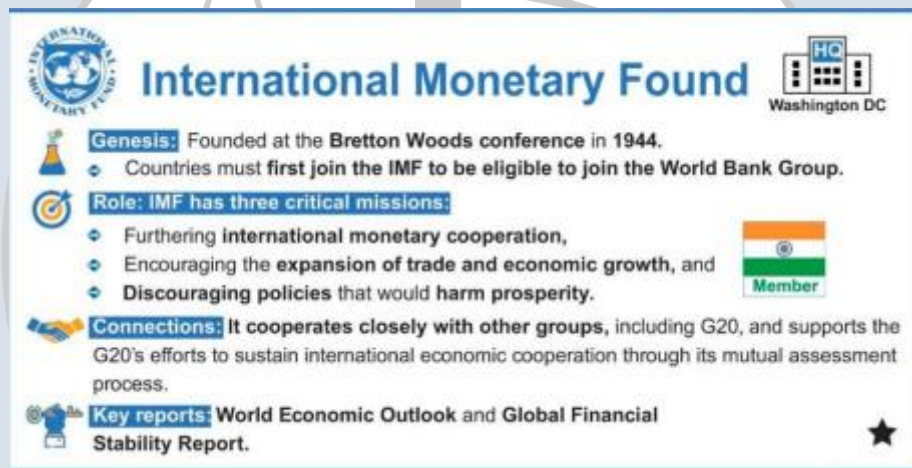
INTERNATIONAL CRIMINAL COURT (ICC)

- International Criminal Court (ICC) issued arrest warrant for Vladimir Putin for war crimes in Ukraine.
- ICC stated that Putin bears individual criminal responsibility for the abduction and deportation of Ukrainian children since Russia's full-scale invasion began in February last year.
 - o However, ICC has no power to arrest sitting heads of state or bring them to trial
- War crimes are serious violations of humanitarian laws during a conflict (derived from 1949 Geneva Conventions).
 - o War crimes include torture, mutilation, corporal punishment, hostage taking and acts of terrorism.

| | International Criminal Court (ICC) | International Court of Justice (ICJ) |
|-----------------------------|--|--|
| Genesis | <ul style="list-style-type: none"> Established by Rome Statute, it is not part of the UN | <ul style="list-style-type: none"> Established by United Nations Charter, it is Principal judicial organ of UN. |
| Subject Matter | <ul style="list-style-type: none"> Trial criminal offenses i.e. genocide, crimes against humanity, war crimes, crimes of aggression | <ul style="list-style-type: none"> Settle legal dispute i.e. sovereignty, boundary disputes, maritime disputes, trade, natural resource etc. |
| Parties | <ul style="list-style-type: none"> Individuals either ratified member of ICC or accept the jurisdiction of ICC. India, Russia, US are not members. | <ul style="list-style-type: none"> Only states either member of UN or ICJ or both. India is a member. |
| Jurisdiction | <ul style="list-style-type: none"> Criminal prosecution of individuals. | <ul style="list-style-type: none"> Two types of jurisdiction: Legal disputes that are submitted to it by States, Advisory opinion. No jurisdiction to try individuals accused of war crimes or crimes against humanity |
| Composition of Court | <ul style="list-style-type: none"> Composed of eighteen judges elected to nine year terms and not re-elected for further terms | <ul style="list-style-type: none"> Composed of fifteen judges elected to nine year terms and may be re-elected for up to two further terms |
| Appeal | <ul style="list-style-type: none"> Appeal is instituted by appeal chamber. | <ul style="list-style-type: none"> No appeal provision for ICJ. |

INTERNATIONAL MONETARY FUND (IMF)

- International Monetary Fund (IMF) cleared \$3 billion bailout for Sri Lanka.
- An IMF bailout usually comprises a financing package, a structural reforms package (to be implemented by borrowing country) and specific debt conditions.
 - India, Japan and China — Sri Lanka's top three bilateral creditors — played a crucial role in unlocking IMF assistance by providing financing assurances.
- Bailout is provided under IMF's Extended Fund Facility (EFF), extended when a country faces serious mediumterm balance of payments (BoP) problems because of structural weaknesses that require time.



NEW DEVELOPMENT BANK (NDB)

- Board of Governors of New Development Bank (NDB) unanimously elected former Brazilian President as its new President.



New Development Bank

Shanghai China



Genesis: It was established by BRICS as per agreement signed during the sixth BRICS Summit in Fortaleza (2014). Bank started operations in 2015.

Objective: To mobilise resources for infrastructure and sustainable development projects in emerging markets and developing countries (EMDCs).

Members: Brazil, Russia, China and South Africa, Bangladesh, United Arab Emirates and Egypt. 

Regional office: Johannesburg, Sao Paulo, Moscow, GIFT City (India).

Major Projects: NDB is financing multiple projects in India including Meerut Regional Rapid Transit System Project (co financed by ADB and AIIB), Chennai and Mumbai Metro projects etc.
 It also gave COVID-19 Emergency Program Loan for Supporting India's Economic Recovery from COVID-19

Shareholding: The founding BRICS members have 18.98% each. Bangladesh has 1.79%, Egypt has 2.27% and UAE has 1.06%

THEATERISATION OF ARMED FORCES

Recently, the Government introduced the 'Inter-Services Organisations (Command, Control and Discipline) Bill, 2023' in Lok Sabha.

Key features of the bill

- Inter-Services organisation: It will be a body of troops including a Joint Services Command consisting of persons, subject to the Air Force Act, 1950, the Army Act, 1950 and the Navy Act, 1957 or any two of the said Acts.
- Objective of the bill: The bill seeks to empower the Commander-in-Chief or Officer-in-Command of Inter-services Organisations to exercise disciplinary or administrative control over the service personnel under their command, irrespective of their service.
- Clearing the decks for Theaterisation, the bill:
 - o empowers the Union government to notify the setting up of inter-services organisations, including joint services commands, and
 - o recognizes existing inter-services organisations and the Commander-in-Chief or Officer-in-Command to be constituted/appointed under this Act.

About Theaterisation and its Purpose

- Theaterisation: It refers to the Integrated or Joint Theatre Commands (JTCs) where all the manpower and assets of the Indian Army, Navy and Air Force will be under single operational control in a geographical region.
- Purpose: Its main purpose is to achieve 'Jointness', i.e., to increase cooperation and integration between different branches of the military.
- Across the world: Globally, over 32 nations, including the US and China, have adopted jointness.
 - o In comparison, Indian armed forces function with 17 single service commands (Army 7, Air Force 7, and Navy 3) despite JTCs like structural changes recommended since Kargil Review Committee of 1999.

UNLAWFUL ACTIVITIES PREVENTION ACT (UAPA), 1967

The Supreme Court (SC) declared that mere membership of a banned organisation will be a crime under Unlawful Activities (Prevention) Act (UAPA), 1967.

- Overruling the 2011 judgments: The SC said that a person who "is or continues to be" even a "mere member" of a banned organisation is criminally liable under UAPA for acting against the sovereignty and integrity of India.
- In 2011, in 3 separate judgments {State of Kerala vs. Raneef; Arup Bhuyan vs. State of Assam; and Sri Indra Das vs. State of Assam} SC had ruled that mere membership of a banned organization is not sufficient to constitute an offence under the UAPA 1967 or the Terrorism and Disruptive Activities (Prevention) Act or TADA, unless it is accompanied with some overt violent.
- Restored the doctrine of "guilt by association": The SC basically restored the doctrine of "guilt by association" in criminal jurisprudence in India.
 - o Doctrine of "guilt by association" is defined as guilt ascribed to someone not because of any evidence, but because of their association with an offender who is guilty. It is also known as the association fallacy.

- Affirmed the constitutional validity of Section 10(a) (i) of UAPA, 1967: This section makes continued membership of a banned organization a crime punishable with a jail term up to two years and such person may also be liable to fine.

- o The SC held that "Section 10(a)(i) is absolutely in consonance with 19(1)(a) and 19(2) of the constitution and thus in consonance with the objectives of the UAPA.

- o The SC also observed that unlike the US, the right to freedom of speech in India is not an absolute right, it is subject to reasonable restrictions.

- ✓ Also, the Constitution permits Parliament to frame the laws taking into consideration the public order and/ or the sovereignty of India.

- Declaration of an association as unlawful: Under, Section 3 of UAPA, if the Central Government is of opinion that any association is, or has become, an unlawful association, it may, by notification in the Official Gazette, declare such association to be unlawful.

About Unlawful Activities (Prevention) Act (UAPA), 1967

- It was enacted to provide for more effective prevention of certain unlawful activities of individuals and associations, and for dealing with terrorist activities, and related matters.

- Act defines Unlawful activity: Any action taken by an individual or association that leads to cession of a part of the territory of India, questions the sovereignty of India or disrupts the integrity of India etc.

- o Powers with the government:

- ✓ Under the Act, Central government can declare a person or an organization as a terrorist/terrorist organisation, if it/ he

- Commits or participates in acts of terrorism,

- Prepares for terrorism,

- Promotes terrorism, or

- Otherwise involved in terrorism.

- ✓ Government can impose all-India bans on associations which are declared 'unlawful' under the Act.

✓ Both Indian nationals and foreign nationals can be charged under the Act. Also, the Act holds offenders accountable in the same manner if crime is committed on foreign land outside India.

o Investigating powers: Cases can be investigated by both State police and National Investigation Agency (NIA).

o Appeal mechanism: It provides for tribunal to review or to hear an appeal against the ban.

MONEY LAUNDERING

Ministry of Finance notified 2023 Amendment to the Prevention of Money-laundering (Maintenance of Records) Rules, 2005.

Key changes in Rules 2023

- Tightened the definition of beneficial ownership: Any individual or group holding 10% ownership in the client of a "reporting entity" will now be considered a beneficial owner as against the ownership threshold of 25% applicable earlier.

- o Under the anti-money laundering law, "reporting entities" are banks and financial institutions, firms engaged in real estate and jewelry sectors.

- o They also include intermediaries in casinos and crypto or VDAs.

- Expanded the due diligence requirement: Prescribes disclosures of beneficial owners beyond current requirement of KYC (Know your customer) norms through documents such as registration certificates and PAN.

- o Reporting entities are required to register details of the client if it's a non-profit organisation on the DARPAN portal of NITI Aayog.

- Politically Exposed Persons (PEPs): Amendment defines PEPs as individuals who have been entrusted with prominent public functions by a foreign country, including Heads of States/Governments, senior politicians etc.

- Widened the definition of Non-profit organisation: It now includes

o any entity or organisation constituted for religious or charitable purposes referred to in Section 2(15) of the Income-tax Act, 1961.

Initiatives in India to prevent money laundering

- **Statutory framework:** Prevention of Money Laundering Act (PMLA), 2002 and its accompanying rules (PML Rules) serve as the primary legal framework for the prosecution of money laundering in India. Act enables authorities to confiscate the property earned from illegally gained proceeds.
- **Institutional framework:** Key institutions include Directorate of Enforcement (ED) and Financial Intelligence Unit –India (FIU-IND).
 - o ED is the principal legal entity in charge of looking into and prosecuting money laundering offences under the PMLA.
 - o FIU-IND is primary national body in charge of collecting, processing, assessing, and disseminating data about suspicious financial transactions to law enforcement authorities.
- **Empowered Regulators:** Regulators like Reserve Bank of India (RBI), Securities & Exchange Board of India (SEBI), and Insurance Regulatory & Development Authority of India (IRDAI) are empowered to handle matters relating to money laundering activities and establish AML standards.
- **Other institutions:**
 - o Economic Offences Wing, Central Bureau of Investigation (CBI)
 - o Income Tax Department
 - o Registrar of Companies (RoC)

ARMED FORCES (SPECIAL POWERS) ACT (AFSPA)

Central government has decided to reduce the disturbed areas under the Armed Forces Special Powers Act (AFSPA) in Nagaland, Assam and Manipur.

- In Arunachal Pradesh, one more police station (PS) has been declared a disturbed area. Currently, AFSPA is in effect in Nagaland, Assam, Manipur, and parts of Arunachal Pradesh.

- o AFSPA is also in effect in Jammu and Kashmir through the Armed Forces (Jammu and Kashmir) Special Powers Act, 1990.

- Earlier, AFSPA was completely withdrawn in Meghalaya in 2018, Tripura in 2015 and Mizoram in the 1980s.

About AFSPA, 1958

- AFSPA for North-Eastern states was passed in 1958.
 - o It was initially implemented in Assam and Manipur and after amendment in 1972, it was also implemented in Meghalaya, Nagaland, Tripura and Arunachal Pradesh.
- It gives armed forces the power to maintain public order in “disturbed areas”.
 - o Disturbed area is an area in such a disturbed or dangerous condition that the use of armed forces in aid of the civil power is necessary.
 - o Central Government, or Governor of State or administrator of Union Territory can declare whole or part of State or UT as a disturbed area.
 - o Ministry of Home Affairs would usually enforce this Act where necessary. But there have been exceptions where the Centre decided to forego its power and leave the decision to the State governments.
- Act gives various special powers to armed forces like:
 - o To prohibit a gathering of five or more persons in an area.
 - o Can use force or even open fire after giving due warning if they feel a person is in contravention of the law.
 - o If reasonable suspicion exists, can also arrest a person without a warrant; enter or search a premises without a warrant; and ban the possession of firearms.
- Act requires previous sanction of Central government for prosecution, suit or other legal proceeding in respect of exercise of powers conferred.

- In view of the continuous improvement in the security situation of the North-East States, the Disturbed Area Declaration under AFSPA is reviewed from time to time in the Ministry of Home Affairs.

EXERCISES IN NEWS

- **Shinyuu Maitri:** It is the exercise conducted between the Indian Air Force (IAF) and Japan Air Self Defence Force (JASDF).
- **DUSTLIK-2023:** It is the exercise conducted between the Indian Army and Uzbekistan Army under a UN mandate.
- **Frinjex-2023:** It is the maiden Joint Military Exercise between Indian Army and French Army.
- **Bold Kurukshetra:** It is joint military exercise between India and Singapore.
- **Sea Dragon 23:** It is a coordinated multi-lateral Anti-Submarine Warfare (ASW) exercise with participation of Navy from India, US, Japan, Canada and Republic of Korea.
- **Cobra Warrior:** Multilateral Air exercise held twice a year in the United Kingdom in which Air Forces from India, Finland, Sweden, South Africa, USA, UK and Singapore participated.
- **Konkan 2023:** It is an annual bilateral maritime exercise between Indian Navy and Royal Navy (UK).
- **La Perouse:** It is a multilateral exercise conducted by the French Navy and is aimed at enhancing coordination amongst the participating navies in the Indo-Pacific Region.

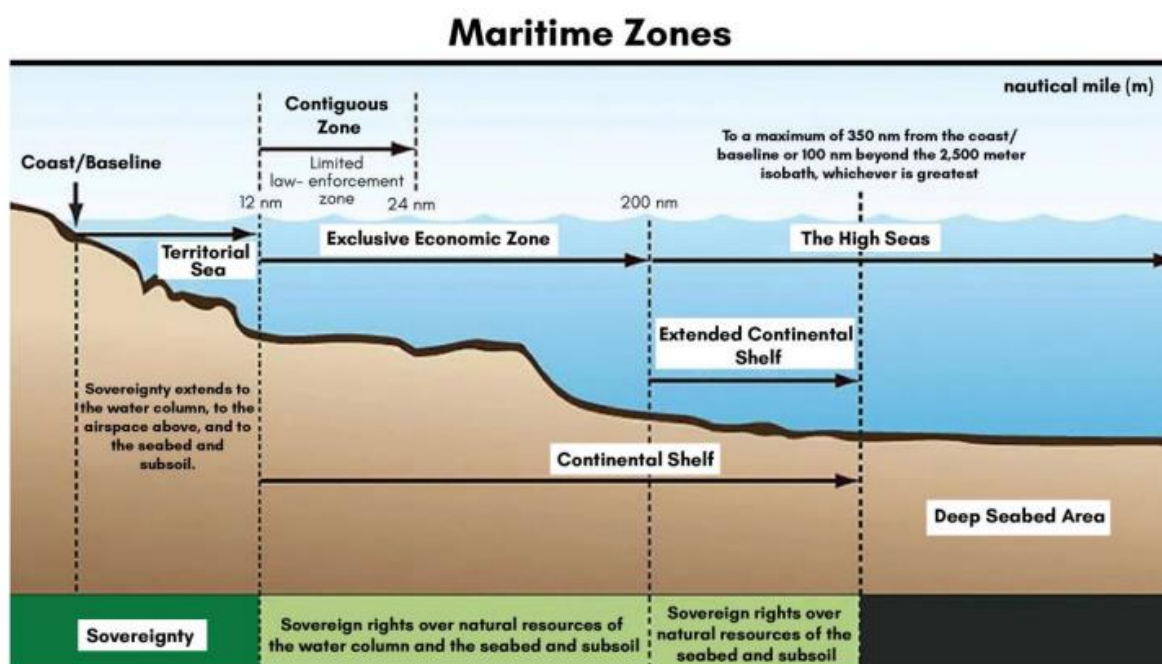
o Participating countries include India, USA, Japan, Australia, UK etc.

BIODIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION TREATY (UNITED NATION HIGH SEAS TREATY)

The Biodiversity of Areas Beyond National Jurisdiction treaty or the High Seas Treaty has been adopted.

- It was adopted at the fifth United Nation Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction.

- It has been adopted under the framework of the United Nations Convention on Laws of the Sea (UNCLOS).
 - o The issue of conservation of marine biodiversity beyond jurisdiction was raised in Rio+20 summit in 2012.
 - o In 2017, UN adopted a resolution to provide for Inter-governmental conference to frame legally binding agreement.
 - o The conference met for the first time in 2018.
- It is legally binding in nature. It will only enter into force once 60 countries have ratified it.
- It is also referred to as the 'Paris Agreement for the Ocean'.



Draft High Seas Treaty

Objective-It will ensure the **conservation and sustainable use of marine biological diversity** in areas beyond national jurisdiction through international cooperation and coordination.



Major Principles and Approaches



Polluter-pays principle (those causing pollution in a particular region are responsible for its reduction),

Common heritage of humankind,



Traditional knowledge of Indigenous Peoples.

An ecosystem approach (holistic in nature), and



RIGHT TO REPAIR

The proposed right to repair framework is extended across four sectors in India.

- The framework is expanded to four sectors namely: consumer durables; Mobile and Electronics; automobiles equipment; and farm equipment.
- Under this framework, it would be mandatory for manufacturers to share their product details with customers so that they can either repair them by self or by third parties.
- The framework aims to ease access to repair services not just by original manufacturers but also by reliable third-party technicians to lower costs and lengthen the shelf life of devices, equipment and home appliances.
- It also seeks to harmonize trade between the original equipment manufacturers and third-party buyers and sellers.

Right to Repair

- It refers to legislative framework that enables the consumers to repair their goods at their own preference, where repairs by other entities are not encouraged by the manufacturers.
 - o It is commonly done by limiting access to tools and components or by putting up software barriers to prevent independent repair or modification to the product.
 - o This obliges the customers to use only their services.

- Earlier the Centre has set up a committee headed by Nidhi Khare to create the framework for the same in the country.

FOREST RIGHTS IN INDIA

According to the Ministry of Tribal Affairs (MoTA) about 38% of all claims over land made under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 [Also known as Forest Rights Act (FRA)] till November 2022, have been rejected.

- 39.29% of Individual Forest Rights (IFR) claims had been rejected in this time period compared with 24.42% rejection in Community Forest Rights (CFR) claims.

About Forest Rights Act (FRA), 2006

- **Objective:** It recognizes the rights of the forest Dwelling Scheduled Tribes (FDST) and other traditional forest dwellers to forest resources (OTFD), on which these communities were dependent for a variety of needs, including livelihood, habitation, and other socio-cultural needs.

- **Eligibility for FR:** A member or community can claim rights over forest lands that they primarily resides in for at least three generations (75 years) or prior to December 13, 2005.

- o A person should be a bonafide dependent on the forest, its land, and resources for their livelihood.

- **Rights Under the Act**

- o **Individual Forest Rights (IFR):** It includes the right of self-cultivation and habitation. Provides ownership of land (maximum of 4 hectares), only for land that is being cultivated by the beneficiary no new lands are granted.

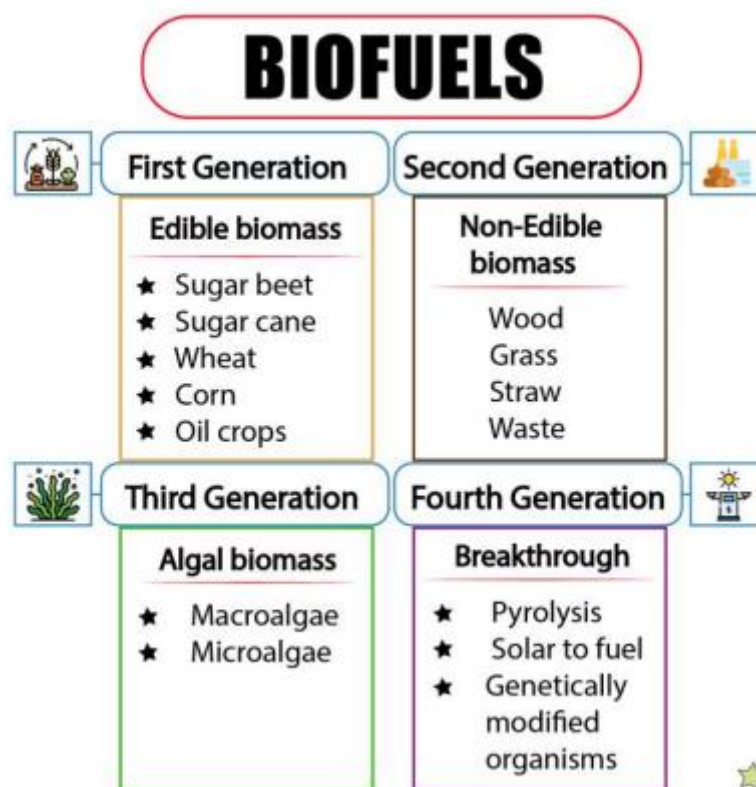
- o **Community Forest Rights (CFR):** It provides collective rights to the community. Some of these include grazing and fishing rights; and ownership, access, use, and disposal rights of Minor Forest produce (MFP) traditionally collected within or outside village boundaries.

✓ Also includes the right to protect, regenerate or conserve or manage any community forest resource etc.

- Recognition, Restoration, and Procedure for Vesting of FR: Gram Sabha, Sub-Divisional Level Committee, District Level Committee, State Level Monitoring Committee. etc. have been set up for recognizing and vesting FR.

BIOFUELS

- Directorate General of Foreign Trade (DGFT) amended Biofuels' Export Policy.
- DGFT has modified the 2018 notification, allowing export of biofuel from Special Economic Zones (SEZs) and Export-Oriented Units (EOUs) for both fuel and non-fuel purposes without any restrictions if biofuel is produced using imported feed stock.
 - o Biofuel imports and exports both require a license.



DESALINATION PLANTS

- National Institute of Ocean Technology (NIOT) will set up a green, self-powered desalination plants in Lakshadweep.
- Once made operational, it'll probably be the world's first desalination plant that will supply power to plant as well while converting seawater to potable water.
 - o Current desalination plants are powered by diesel generator sets - leading to air pollution and increase in operational cost due to diesel transportation to island.
- NIOT has established Low Temperature Thermal Desalination (LTTD) plants on six Lakshadweep islands and one at Northern Chennai.
 - o Desalination is the process of obtaining freshwater from either seawater or brackish water from estuaries.
- LTTD is a process in which warm surface seawater is flash evaporated at low pressure and vapour is condensed with cold deep seawater.
 - o Cold water condenses the warmer water (at the surface level) whose pressure has been lowered using vacuum pumps. Condensed water is free of salts and contaminants and fit to consume.
 - o Now, instead of diesel-powered vacuum pumps, Ocean Thermal Energy Conversion (OTEC) technology will be used to generate energy to depressurize warmer water.

RIGHT TO HEALTH

Recently, Rajasthan became the first Indian State to enact a Right to Health Act. Health as a Right and Right to Health in India

- Scope of Right to Health: Right to Health extends not just to timely and appropriate healthcare, but also to the underlying determinants of health, such as:
 - o Access to safe and potable water and adequate sanitation,
 - o Healthy occupational and environmental conditions, and
 - o Access to health-related education and information, including on sexual and reproductive health.

- Constitutional Position: Right to Health has been enshrined as a fundamental right in the Indian Constitution.
 - o Right to Health is construed as a part of Right to Life (Article 21) through substantive rulings of the Supreme Court.





WORLD HAPPINESS REPORT 2023

- UN Sustainable Development Solutions Network released World Happiness Report (WHR) 2023.
- Report evaluates levels of happiness by taking into account 6 key variables.
- The goal of the report is to identify key determinants of well-being.
 - o It is based on people's own assessment of their happiness, as well as economic and social data.
- Ranking of happiness based on a 3-year-average 2020-22.
- Key ranking
 - o Top three countries are Finland, Denmark and Iceland respectively
 - o Afghanistan, Lebanon, Sierra Leone were in the bottom of the chart.
 - o India has been ranked at the 126th place among 137 countries (as compared to 136th out of 146 countries in 2022).
 - ✓ India ranked below neighbours China, Nepal, Sri Lanka and Bangladesh
 - o Bhutan is not listed in the WHR 2023.

BHARAT 6G MISSION

Recently, India released “Bharat 6G Vision” document which eyes 6G services rollout by 2030 and launched the 6G research and development test bed.

- **6G network is the successor of 5G** which offers ultra-low latency with speeds up to 1 Tbps and operate by using higher end of radio spectrum.
- 6G enhances **solutions based on AI and machine learning, extreme connectivity needs.**

| Difference between 5G and 6G Network | | |
|---|---|--|
| Features | 5G | 6G |
|  Frequency Bands | <ul style="list-style-type: none"> • Allocated for low band and high band frequencies - sub-6 GHz (Gigahertz) and above 24.25 GHz respectively. | <ul style="list-style-type: none"> • Operative at the frequency range 95 GHz to 3 THz (Terahertz). |
|  Data Rate | <ul style="list-style-type: none"> • 1 Gbps to 20 Gbps (Downlink Data Rate - 20 Gbps, Uplink Data Rate - 10 Gbps). | <ul style="list-style-type: none"> • Upto 1 Tbps (100 times faster than 5G) |
|  Latency (End to End Delay) | <ul style="list-style-type: none"> • 5 milliseconds | <ul style="list-style-type: none"> • < 1 milliseconds |
|  Traffic Capacity | <ul style="list-style-type: none"> • 10 Mbps/m² | <ul style="list-style-type: none"> • 1 to 10 Gbps/m² |

SPACE TOURISM

Indian Space Research Organisation (ISRO) is planning space tourism by 2030. International Telecommunication Union (ITU) Area Office and Innovation Centre inaugurated in Delhi

- It will serve India, Nepal, Bhutan, Bangladesh, Sri Lanka, Maldives, Afghanistan, and Iran.
- India signed a Host Country Agreement in March 2022 with ITU for the establishment of Area Office.
- It will enhance coordination among nations and foster mutually beneficial economic cooperation in the region.

- World Telecommunications Standardization Assembly of ITU will be held in October 2024 in Delhi.
- The objective of India's maiden human spaceflight programme Gaganyaan is demonstration of human spaceflight capability to Low Earth Orbit, which is a precursor to future Space Tourism Programme.
- ISRO has carried out a few feasibility studies for a sub-orbital space tourism mission.
- After the accomplishment of the Gaganyaan mission, activities towards space tourism shall be firmed up.

LAUNCH VEHICLE MARK 3 (LVM-3)

- ISRO's heaviest Launch Vehicle Mark 3 (LVM-3) successfully placed 36 OneWeb satellites in orbit.
- LVM3 in its sixth consecutive successful flight placed 36 satellites of OneWeb into Low Earth Orbit (LEO).
 - o With this, NewSpace India Limited (NSIL) has successfully executed its contract to launch 72 satellites of OneWeb to LEO, 36 of which were placed in October, 2022.
 - o NSIL is under Department of Space and commercial arm of Indian Space Research Organisation (ISRO).
- Mission establishes ISRO's growing capabilities to undertake mega missions and fill a vacant niche in global market by launching a constellation of satellites

LVM3 (earlier called Geosynchronous Launch Vehicle Mark III or GSLV-MK3)

- o It is a 3-stage launch vehicle consisting of Cryogenic Upper Stage, Solid Rocket Boosters and Core Liquid Stage.
- o It has a carrying capacity of 8 tonnes to LEO and 4 tonnes to geo transfer orbit (GTO).
- o It is ISRO's second rocket for global commercial market, after its Polar Satellite Launch vehicle (PSLV).

- o Its key missions include Chandrayaan-2, Gaganyaan (Human Space Flight), Chandrayaan-3 and Aditya L1 (mission to study sun).
- OneWeb is a joint venture between India's Bharti Enterprises and U.K. government to deliver high-speed, low-latency connectivity worldwide.
 - o OneWeb satellites operate in LEO at an altitude of 1,200 kilometers.

CONTROLLED RE-ENTRY OF SATELLITE

- ISRO successfully carried out controlled re-entry experiment of decommissioned Megha-Tropiques-1 (MT-1) satellite.
- MT-1 was launched by ISRO and French space agency for carrying out tropical weather and climate studies.
- Controlled re-entries involve deorbiting (large satellites/rocket bodies) to very low altitudes to ensure impact occurs within a targeted safe zone.
- UN/IADC (Inter-Agency Space Debris Coordination Committee) space debris mitigation guidelines recommend deorbiting a LEO (Low Earth Orbit) object at its End Of Life:
 - o Through controlled re-entry to a safe impact zone.
 - o By bringing it to an orbit where orbital lifetime is less than 25 years.
- Space debris encompasses both natural (meteoroid) and artificial (man-made) particles.
 - o Much of the debris is in LEO, though some debris can be found in geostationary orbit.
 - ✓ LEO is normally at an altitude of less than 1000 km but could be as low as 160 km above Earth

MATUA COMMUNITY

- PM has urged people to visit Matua Maha Mela in West Bengal.
- Mela is organised on birth anniversary of Shri Harichand Thakur (1812-1878), who was the founder of the sect of Vaishnavite Hinduism called Matua.

o He wrote couplets in Bengali and stressed on education and strong organisation as the primary modes of community empowerment.

o He wanted to establish a classless, casteless society.

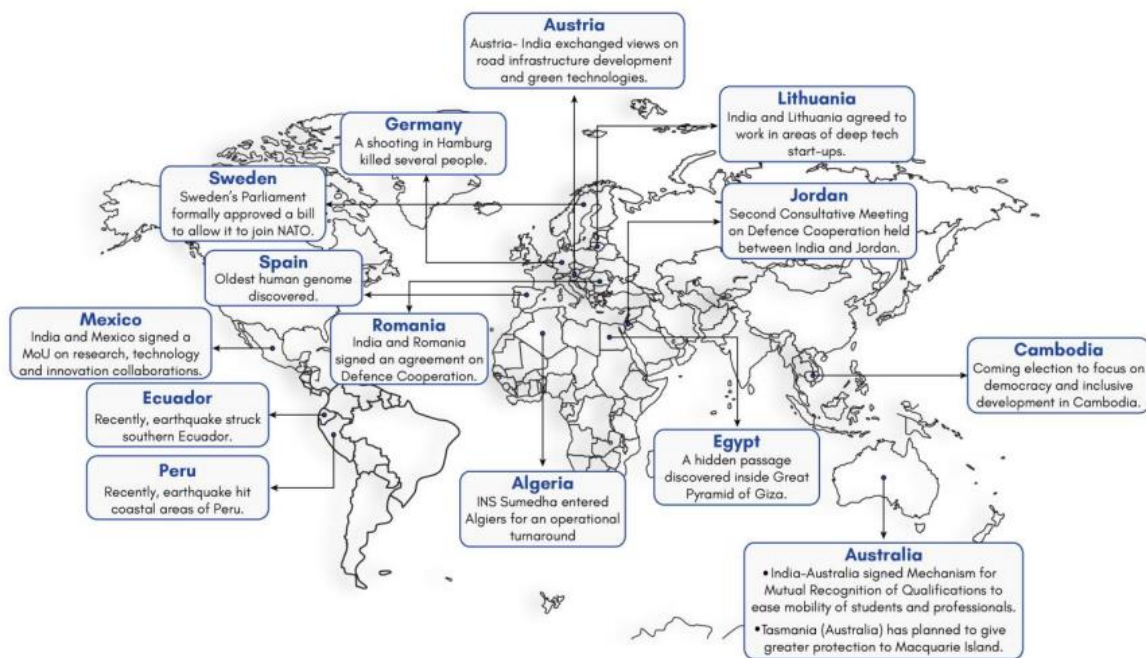
- Matuas are Namasudras, a Scheduled Caste group considered untouchable during 19th C.E.

o Matuas migrated to India during Partition and after the creation of Bangladesh.

KATTUNAYAKAN TRIBE

- Oscar award to documentary Elephant Whisperers is a tribute to conservation legacy of the Kattunayakan tribe.
- They are one of the 75 Particularly Vulnerable Tribal Groups (PVTGs) of India.
- Found in parts of Tamil Nadu and Kerala (Nilgiris and surrounding region).
- Language: mixture of all Dravidian languages.
- Religion practices: strongly rooted in their culture and worship animals, birds, trees, rocks and snakes and almost everything natural.

Places in News: World



Places in News: India

