



CURRENT AFFAIRS: SEPTEMBER 2024

ONE NATION ONE ELECTION

The Union Cabinet has accepted the recommendations of the High-Level Committee on Simultaneous Elections under the chairmanship of former President Shri Ram Nath Kovind.

About Simultaneous Elections

- Simultaneous Elections (popularly known as One Nation, One Election) means holding elections to the House of the People, all the State Legislative Assemblies, and local bodies i.e., Municipalities and Panchayats, together
 - o Simultaneous elections do not mean that voting across the country for all elections needs to happen on a single day.
- In India, simultaneous elections to the Lok Sabha and Vidhan Sabhas were held in the years 1951-52, 1957, 1962 and 1967.
 - o This cycle was disrupted due to premature dissolution of State Assemblies in 1968-69 and of the Lok Sabha in 1970.

Key highlights of High-Level Committee on Simultaneous Elections

The committee advocated simultaneous elections for Lok Sabha, State Legislative Assemblies, and local bodies to address the burden on the Government, businesses, Courts, political parties, civil society etc. due to frequent elections. Recommendations are as follows:

- **Synchronization of Elections:** Elections to be held in two phases
 - o First phase: Conduct Lok Sabha and State Legislative Assembly elections simultaneously.
 - o Second phase: Conduct local body elections (Panchayats and Municipalities) within 100 days of general elections.

Insert Article 82A	Amendment of Article 83 (Duration of Houses of Parliament) and Article 172 (Duration of State Legislatures):	Introduction of Article 324A
<ul style="list-style-type: none"> Article 82A(1) will state that “on the date of the first sitting of the House of the People after a general election”, the President will issue a notification bringing Article 82A into effect. The date of this notification “shall be called the Appointed date”. Article 82A(2) will state that “all the Legislative Assemblies constituted in any general election held after the appointed date shall come to an end on the expiry of the full term of the House of the People.” 	<ul style="list-style-type: none"> In case of a hung House, a no-confidence motion or defection, fresh elections to be conducted to constitute the new Lok Sabha or State Assembly for the unexpired term of the immediately preceding full term of the House. <ul style="list-style-type: none"> It ensures continuity in cycle of Simultaneous Elections. 	<ul style="list-style-type: none"> Relating to holding simultaneous elections to Municipalities and Panchayats with general elections. <ul style="list-style-type: none"> Ratification by states required

- **Single electoral roll:** To be prepared by the Election Commission of India in consultation with the State Election Commission(s) by amending Article 325.

o As it includes amending State subjects (Local Government) in the 7th Schedule, Part IX, and Part IXA of the Constitution of India, ratification by the States required under Article 368(2).

- **Need for ratification by states:** The Committee observed that constitutional amendments in relation to terms of Parliament and state assemblies will not require ratification by states. However, constitutional amendments in relation to local bodies will be required to be passed with ratification by at least half of the states.

‘BLACK COAT SYNDROME’ IN COURTS

President called out ‘Black Coat Syndrome’, and urged Supreme Court to Lead with Justice for All

- Highlighting the delay in Justice, the President used this term to describe anxiety experienced by ordinary citizens in court settings.
- Term is analogous to the “White Coat Hypertension” i.e. increase in people’s blood pressure in the hospital.

Reasons for such perception

- **High pendency:** As of August 31, 82,887 cases are pending in SC (National Judicial Data Grid).

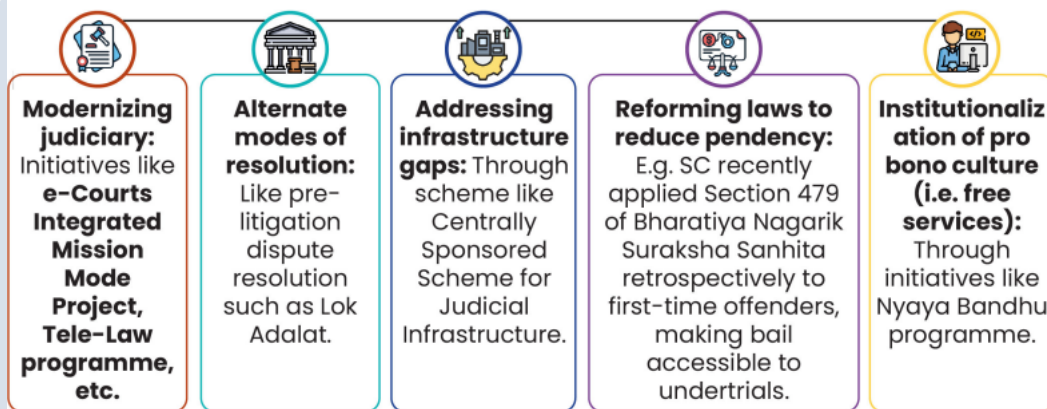
o Additionally, delays in deciding serious crimes like rape leads to public perception of insensitivity in the judicial system.

- **Frequent adjournments:** It causes great mental and financial pressure specially for people traveling from villages to courts.

- **Issues with district judiciary:** For instance, only 6.7% of court infrastructure at the district level is female friendly.

o District-level courts significantly shape the public's perception of the judiciary

Steps taken to address these issues



RIGHTS OF DETENU IN PREVENTIVE DETENTION

In *Jaseela Shaji vs Union of India* case (2024), the Supreme Court highlighted the rights of detenu (detained person) to make an effective representation against preventive detention.

- Preventive detention means detention of a person without trial.

Highlights of the Judgment

- Detenu has the right to be furnished with the grounds of detention along with the documents relied on for such detention.

o If there is failure or even delay in furnishing those documents, it would amount to denial of the right to make an effective representation under Article 22(5) of the Constitution.

- Article 22(5) mandates that detaining authority must:

- o Inform detenu as soon as practicable of grounds on which detention has been made.

- o Provide detenu the earliest opportunity of making a representation against detention order.

Laws for preventive detention



Preventive Detention

- Article 22(3) allows the authorities to detain individuals for preventive reasons, such as the maintenance of public order or national security.

- The constitution provides for certain safeguards:

- o No preventive detention law should authorize the detention beyond three months unless an Advisory Board approves it.

- o Grounds for preventive detention shall be communicated at the earliest.

- o Provide earliest opportunity of making a representation.



PLEA BARGAINING

As per the Ministry of Law and Justice, only 0.11% of cases were resolved through plea bargaining in 2022.

About Plea Bargaining:

- It is an agreement between defense and prosecution where accused pleads guilty for a lesser offense or a reduced sentence.
- Introduced in 2006 as part of a set of amendments to CrPC.
- In section 290 of BNSS, plea bargaining has been made time bound and application can be made within 30 days from date of framing of charge.
- Application: Applies only to offenses punishable by up to seven years of imprisonment, with further restrictions excluding cases involving crimes against women, children, or socio-economic offenses.

2023 AMENDMENT TO RULE 3 OF IT RULES 2021

Bombay HC struck down the 2023 amendment to Rule 3 of the IT Rules mandating establishment of Fact Checking Units (FCU)

- Verdict has been delivered in the *Kunal Kamra vs Union of India* case (2024).

Background

- The 2023 amendment [(3(1)(b)(v))] to IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 empowered the Government to identify fake news pertaining to its business on social media platforms through FCU.

o Such news was to be flagged and taken down by the intermediary.

o Failure to do so would subject the intermediaries to a legal action and losing their safe harbor (legal immunity against third-party consent).



- In 2023, Supreme Court stayed the Centre's notification establishing FCU in Press Information Bureau (PIB).

Key Observations by the HC

- Rules are ultra vires (unconstitutional) or beyond the powers of the IT Act, 2000.
- Violate the Principles of Natural Justice and Fundamental Rights under Articles:
 - o 14 [Equality before Law]
 - o 19 (1) (a) [Freedom of Speech and Expression]
 - o 19 (1) (g) [Freedom to practice any profession]
 - o 21 [Right to Life and Personal Liberty]
- Vague, does not clearly define fake or misleading news.
 - o Also, in the absence of "right to the truth," the State is not responsible for providing citizens with only accurate information determined by the FCU.
- Fail to satisfy the test of proportionality

23rd LAW COMMISSION CONSTITUTED

President approves the constitution of the 23rd Law Commission for a three-year term, that is, from 1st September, 2024 to 31st August, 2027.

23rd Law Commission

- Mandate: To review and recommend legal reforms to enhance the Indian legal system.
- Composition: It will include a full-time chairperson, four members, and additional ex-officio and part-time members.

Terms of Reference (ToR)

- **Review/Repeal of obsolete laws:**

- o Create a Standard Operating procedure for periodic review of existing laws for simplification.

- o Based on the relevance, current economic needs, suggest repealing and amendments to the laws.

- **Law and Poverty:** Examine laws affecting the poor and conduct post-enactment audits of socio-economic legislation.

- **Review of Judicial Administration:**

- o Ensure economic disposal of cases by elimination of delays and speedy clearance of arrears.

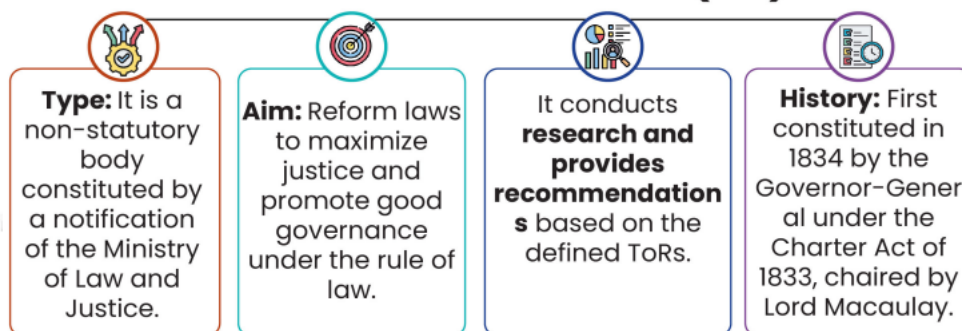
- o Simplification of processes, harmonizing rules of various high courts.

- **Directive Principles of State Policy (DPSPs):** Examine existing laws and suggest reforms to ensure effective implementation of DPSPs and to attain the objectives set out in the Preamble.

- **Gender Equality:** Strengthen laws through examination and suggesting amendments.

- **Revision of Central Acts** to remove anomalies and inequities.

Law Commission of India (LCI)



RECENT MILITARY EXERCISES



- **Exercise Varuna:** Indian Navy's P8I Poseidon Aircraft is on 1st-ever deployment in Europe to participate in 2024 edition of 'Exercise Varuna'.

o Exercise Varuna is bilateral naval exercise between India and France. 2024 edition was conducted in Mediterranean Sea.

- **Exercise Eastern Bridge VII:** The 7th edition of the Exercise Eastern Bridge between Indian Air Force (IAF) and the Royal Air Force of Oman (RAFO) concluded. It was held at Masirah (Oman).
- **EXERCISE AL NAJAH V:** Indian Army Contingent participated in 5th edition of INDIA- OMAN Joint Military Exercise AL NAJAH V at Rabkoot Training Area in Salalah, Oman.
- **Yudh Abhyas:** India-US Bilateral Army Exercise.
- **Tarang Shakti:** Multilateral Air Exercise involving countries like Australia, Greece, Sri Lanka, etc.
- **Malabar Naval Exercise:** Involving India, Australia, Japan and the US.
- **Indra:** Bilateral exercise between India and Russia.

VADHVAN PORT

Prime Minister Narendra Modi laid the foundation stone for Vadhvan Port in Maharashtra's Palghar.

About Vadhvan Port

- Located near Dahanu town in Palghar district in Maharashtra.
- It will be established as the 13th Major port in the country.
- It will be the country's largest container port and one of India's largest deep-water ports.
- The Project will be constructed by Vadhavan Port Project Limited (VPPL), a Special Purpose Vehicle.

o VPPL is formed by Jawaharlal Nehru Port Authority (JNPA) and Maharashtra Maritime Board (MMB) with a shareholding of 74% and 26%, respectively.

- The initiative aims to establish a global maritime hub that will boost the country's trade and economic growth by accommodating large container vessels and ultra-large cargo ships.

CHILD SEXUAL EXPLOITATIVE AND ABUSE MATERIAL

Supreme Court penalised the possession and storage of Child Sexual Exploitation and Abuse Material (CSEAM) under the Protection of Children from Sexual Offences (POCSO) Act, 2012.

Judgement of Supreme Court

- **Overtured High Court Ruling:** Supreme Court overturned a Madras High Court ruling that held that mere possession of child pornographic material does not violate the law unless the individual had actively used a child or children for pornographic purposes.
- **Criminalized CSEAM Possession:** Supreme Court concluded that not only physical possession but also "constructive possession (power to control combined with knowledge of that control)" would fall under Section 15 of POCSO Act, even if the person did not actively produce or distribute the content.
 - o Section 15 of POCSO Act penalizes the storage or possession of pornographic material involving children.
- **Common Malevolent Intent:** Though practically different, both the acts of viewing CSEAM and engaging in child sexual abuse share a "common, malevolent intent: the exploitation and degradation of a child for the sexual gratification of the abuser."
- **Violation of Fundamental Rights:** Supreme Court held CSEAM to be violative of the fundamental rights of children, especially right to live with dignity.
- **Change in Terminology:** Supreme Court has directed Courts across the country to abstain from using the term "child pornography" and instead use "Child Sexual Exploitative and Abuse Material" (CSEAM).
 - o Court suggested to the Parliament to amend the POCSO Act to replace the term and asked Union Government to issue an ordinance in the meantime.

POCSO Act 2012

- **Objective:** POCSO is a self-contained comprehensive legislation for the purpose of **enforcing the rights of all children to safety, security and protection from sexual abuse and exploitation.**
 - It gives due regard for **safeguarding the interest and well-being of the child** at every stage of judicial process, incorporating child friendly procedures for reporting, recording of evidence, investigation and trial of offences.
- **Offences:** There are **three broad categories of sexual offences punishable** under POCSO: Sexual Assault, Sexual Harassment, and using a child for pornography.
 - POCSO defines 'child' as someone below 18 years of age.
- **2019 Amendment:** It introduced more stringent punishment including the **death penalty for committing sexual crimes** on children.
- **Special Court:** POCSO Rules provides that special court may pass an order for interim compensation to meet the needs of the child for relief or rehabilitation.
 - According to a report by India Child Protection, **Fast-Track Special Courts are much more efficient** than other courts in handling POCSO cases (For more detail on Fast-Track Special Courts, refer to box at the end of the article).

Other Measures to protect Children

- **Information Technology (IT) Act:** Amendments in 2008 widens the scope of the IT Act, 2000 by identifying offences to which children are most vulnerable.
 - **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** aims to curb the circulation of CSEAM on social media platforms.
 - ✓ Rules make it mandatory for social media intermediaries to develop tools to identify CSEAM and block user access to such content.
- **Juvenile Justice (Care and Protection of Children) Act 2015:** Defines a child in need of care and protection as one who has been, is being, or is likely to be abused, tortured, or exploited for sexual or illegal purposes.
- **Bharatiya Nyaya Sanhita:** Chapter V deals with offences against woman and child, especially sexual offences.
- **National Action Plan for Children 2016:** It focuses efforts on preventing crimes against children, especially sexual offences.
- **Ratification of UN Convention on the Rights of the Child (CRC) 1990:** India also acceded to the CRC which further strengthens the CRC's provisions for online and offline offences against children.

BHARATIYA ANTARIKSH STATION (BAS)

Union cabinet has approved the building of first unit of the Bharatiya Antariksh Station by extending the scope of Gaganyaan program.

• Revised Gaganyaan Programme include:

- Development of first module of BAS and four missions for demonstration & validation of various technologies for BAS by December, 2028.

- Four missions under ongoing Gaganyaan Programme by 2026

- The total funding for Gaganyaan Programme with the revised scope has been enhanced to over ₹20000 Crore from around ₹12000 Crore.



About Bharatiya Antariksh Station

- BAS is India's planned space station for scientific research which will orbit around 400 – 450km above the Earth's surface
 - o It will have five modules and will be built in phases.
- Targets: The first module (the Base Module) will be launch in 2028 and BAS will be operationalized by 2035.
- Current Status: BAS is currently in conceptualization phase, under which overall architecture, number and types of modules, docking ports etc. are being studied

Other Space stations:

- **Inoperative**
 - o **Salyut 1:** It was **world's first space station** launched by the **Soviet Union in April 1971**.
 - o **Skylab:** It was USA's first space station, launched by NASA in 1973.
- **Operative**
 - o **International Space Station (ISS):** It is a large space station that was assembled in 1998 and operational since 2000.
 - ✓ It is maintained in low Earth orbit by a collaboration of **five space agencies** and their contractors: **NASA (United States), Roscosmos (Russia), ESA (Europe), JAXA (Japan), and CSA (Canada)**.
 - o **China:** Tiangong 1 launched in 2011, Tiangong -2 launched in 2016 were test space labs and Tiangong space station was launched in 2021 (fully operational since late 2022).
- **Upcoming:**
 - o **Gateway Space Station:** NASA-led Gateway Program is an international collaboration to establish **humanity's first space station around the Moon** as a vital **component of the Artemis campaign**.
 - o **Axiom Station:** It is a commercial space station being developed by Axiom Space to operate in low-Earth orbit. It will be the **first commercial space station** in the world.

VENUS ORBITER MISSION (VOM)

Union Cabinet has approved the development of Venus Orbiter Mission (VOM).

- VOM, to be accomplished by Department of Space, is envisaged to orbit a scientific spacecraft in the orbit of planet Venus.
- ISRO will be responsible for development of spacecraft and its launch, which is scheduled in March, 2028.

About Venus

- Venus is Earth's nearest planetary neighbour and is considered as 'Earth's-twin' due to similar size and shape.
 - o It has a radius of 6,052 km, an orbital period of 224.7 Earth days, and is located 108.2 million km (0.72 AU) from the Sun.
- Venus' thick atmosphere traps heat creating a runaway greenhouse effect – making it the hottest planet in our solar system.
- Venus is permanently shrouded in thick, toxic clouds of sulfuric acid.
 - o Phosphine, a possible indicator of microbial life, has been observed in the clouds.
- Venus, along with Uranus, rotates from east to west, while all other planets rotate west to east.

100 YEARS OF DISCOVERY OF HARAPPAN CIVILISATION

It has been 100 years since John Marshall, then director general of the Archaeological Society of India, announced the discovery of "Harappa civilization" on September 20, 1924.

About Harappa Civilization

- **Background:** Harappa civilization also known as 'Indus Valley Civilisation'. It was discovered first at Harappa in modern day Punjab province of Pakistan in 1921 by Daya Ram Sahni.
 - o It is identified as a Bronze-age civilization because many objects have been found that are made up of copperbased alloys.
- **Location:** North-western regions of Indian subcontinent. It spans across 2,000 sites in India, Pakistan, and Afghanistan. Most of the sites are found located between Indus and Saraswati River basins.

- **Extent of Civilization:** Daimabad in Maharashtra (Southernmost), Alamgirpur in UP (Easternmost), Sutgahkendor in Pakistan (Westernmost), and Manda in Jammu (Northernmost).
- **Time-Period:** It flourished from 6000 BCE to 1300 BCE. The archaeological findings reveal the gradual development of the Harappan culture.
 - o Early Harappan (6000 BCE-2600 BCE) is a formative phase of the civilisation.
 - o Mature Harappan (2600 BCE-1900 BCE), the urban phase of the civilization, represents its most prosperous period.
 - o This decadent phase (1900 BCE-1300 BCE) is termed as Late Harappan.

PORT BLAIR RENAMED AS SRI VIJAYA PURAM

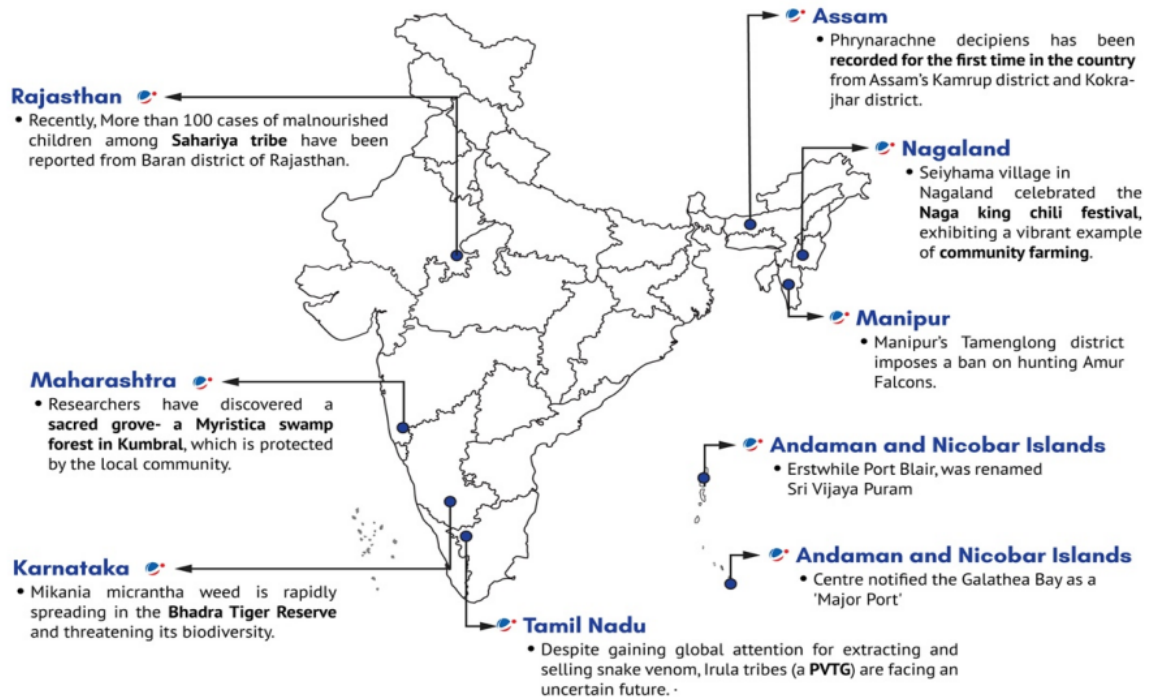
Port Blair, the capital of the Union Territory Andaman and Nicobar (A&N) Islands, is renamed as Sri Vijaya Puram.

- Ministry of Home Affairs (MHA) has announced renaming of Port Blair as Sri Vijaya Puram.

Sri Vijay Puram and its cultural importance

- Srivijaya was the ancient name of an empire that had its base in Sumatra, with influence across South East Asia.
- It was also instrumental in the expansion of Buddhism.
- The empire was supposed to have declined around the 11 century AD after a series of naval raids by the Cholas on its ports.
 - o Chola invasion of Srivijaya was a unique event in the history of India and “its otherwise peaceful relations with the states of Southeast Asia which had come under India’s strong cultural influence for about a millennium.”

India



World

