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1. Presidential Election

In News

Shrimati Droupadi Murmu elected as 15th President of India.

About Presidential Elections

- ❖ **Time of Election-** According to *Article 62*, an election to fill the vacancy caused by the expiration of the term of office of the outgoing President is required to be completed before the expiration of the term.
- **Conducting Authority-** *Article 324* vests the superintendence, direction and control of the conduct of election to the office of the President of India in the Election Commission of India
 - The Election Commission, in consultation with the Central Government, appoints the Secretary General of Lok Sabha and Rajya Sabha, by rotation, as the Returning Officer.
- **Manner of election-** *Article 55* of the Constitution provides that the election shall be held in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot.
 - It also provides that there shall be uniformity in the scale of representation of different states as well as parity between the states as a whole and the Union.
- **Electorate-** According to *Article 54*, the President is elected by the members of the Electoral College consisting of:
 - *Elected members* of both Houses of Parliament.
 - *Elected members* of the Legislative Assemblies of all States including National Capital Territory of Delhi and the Union Territory of Puducherry.

2. Guidelines on Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022

In News

The Central Consumer Protection Authority (CCPA) under the Department of Consumer Affairs has notified 'Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022'.

Why new guidelines?

- It was issued with the objective to curb misleading advertisements and protect the consumers, who may be exploited or affected by such advertisements.
- It seeks to ensure that consumers are not being fooled by unsubstantiated claims, exaggerated promises, misinformation and false claims.

- Such advertisements violate various rights of consumers such as the right to be informed, the right to choose and the right to be safeguarded against potentially unsafe products and services.
 - Although misleading advertisements have already been defined under section 2(28) of the Consumer Protection Act, 2019 the present guidelines define “bait advertisement”, “surrogate advertisement” and clearly provides what constitutes as “free claim advertisements”

What is it?

- ❖ Keeping in view the sensitiveness and vulnerability of children and the severe impact advertisements make on younger minds, several preemptive provisions have been laid down on advertisements targeting children.
 - Guidelines forbid advertisements from exaggerating the features of products or services in such manner as to lead children to have unrealistic expectations of such products or services and claim any health or nutritional claims or benefits without being adequately and scientifically substantiated by a recognized body.
 - Guidelines says that advertisement targeting children shall not feature any personalities from the field of sports, music or cinema for products which under any law requires a health warning for such advertisement or cannot be purchased by children.
- ❖ Guidelines stipulate that disclaimer shall not attempt to hide material information with respect to any claim made in such advertisement, the omission or absence of which is likely to make the advertisement deceptive or conceal its commercial intent.
- ❖ Penalty for violating the Guidelines are also clearly outlined. CCPA can impose penalty of upto **10 lakh rupees** on manufacturers, advertisers and **endorsers** for any misleading advertisements.
- ❖ The Authority can **prohibit the endorser** of a misleading advertisement from making any endorsement for upto 1 year and for subsequent contravention, prohibition can extend up to 3 years.

3. Zonal Council

What are Zonal Councils?

- Zonal Councils are statutory bodies set up under the States Re-organisation Act, 1956, with a view of creating healthy inter-State and Centre-State environments, solving inter-State problems and fostering balanced socio-economic development of the respective zones.

Five Zonal Councils have been set up.

- The present composition of each of these Zonal Councils is as under:
 - ✓ The **Northern Zonal Council**, comprising the States of Haryana, Himachal Pradesh, Jammu & Kashmir, Punjab, Rajasthan, National Capital Territory of Delhi and Union Territory of Chandigarh;
 - ✓ The **Central Zonal Council**, comprising the States of Chhattisgarh, Uttarakhand, Uttar Pradesh and Madhya Pradesh;
 - ✓ The **Eastern Zonal Council**, comprising the States of Bihar, Jharkhand, Orissa, Sikkim and West Bengal;
 - ✓ The **Western Zonal Council**, comprising the States of Goa, Gujarat, Maharashtra and the Union Territories of Daman & Diu and Dadra & Nagar Haveli;
 - ✓ The **Southern Zonal Council**, comprising the States of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and the Union Territory of Puducherry.
- The North Eastern Council has been set up under the North Eastern Council Act, 1972
 - ✓ It caters to the special problems of the North Eastern States i.e. (i) Assam (ii) Arunachal Pradesh (iii) Manipur (iv) Tripura (v) Mizoram (vi) Meghalaya and (vii) Nagaland, which are not included in the Zonal Councils.

The main objectives of setting up of Zonal Councils are as under:

- Bringing out national integration;
 - Arresting the growth of acute State consciousness, regionalism, linguism and particularistic tendencies;
 - Enabling the Centre and the States to co-operate and exchange ideas and experiences;
 - Establishing a climate of co-operation amongst the States for successful and speedy execution of development projects.
- A Zonal Council may discuss, and make recommendations with regard to:
 - Any matter of common interest in the field of economic and social planning;
 - Any matter concerning *border disputes, linguistic minorities* or inter-State transport;
 - Any matter connected with or arising out of, the *re-organization of the States* under the States Reorganisation Act.
 - Organisational Structure of Zonal Councils:
 - Chairman - The **Union Home Minister** is the Chairman of each of these Councils.
 - Vice Chairman - The Chief Ministers of the States included in each zone act as Vice-Chairman of the Zonal Council for that zone by rotation, each holding office for a period of one year at a time.

- Members- Chief Minister and two other Ministers as nominated by the Governor from each of the States and two members from Union Territories included in the zone.
- Advisers- One person nominated by the Planning Commission for each of the Zonal Councils, Chief Secretaries and another officer/Development Commissioner nominated by each of the States included in the Zone
- Union Ministers are also invited to participate in the meetings of Zonal Councils depending upon necessity.

4. National Investigation Agency

In News

The National Investigation Agency (NIA) has taken over the probe into the terrible beheading of a person in Udaipur by radicalists.

About NIA

- ❖ It was constituted under the **National Investigation Agency (NIA) Act, 2008.**
- ❖ The Agency came into existence in the wake of the 26/11 Mumbai terror attack in November 2008.
- ❖ It is a central agency headquartered in Delhi mandated to investigate all the offences affecting:
 - Sovereignty, security and integrity of India
 - Friendly relations with foreign states
 - Offences under the statutory laws enacted to implement international treaties, agreements, conventions and resolutions of the United Nations, its agencies and other international organisations.
 - The offences including terror acts and their possible links with crimes like smuggling of arms, drugs and fake Indian currency and infiltration from across the borders
- ❖ Jurisdiction:
 - The law under which the agency operates extends to the whole of India and also applies to ***Indian citizens outside the country.***
 - Persons in the service of the government wherever they are posted.
 - Persons on ships and aircraft registered in India wherever they may be.

- Persons who commit a scheduled offence beyond India against the Indian citizen or affecting the interest of India.

❖ **Scheduled Offences**

- Explosive Substances Act,
- Atomic Energy Act,
- Unlawful Activities (Prevention) Act,
- Anti-Hijacking Act,
- Suppression of Unlawful Acts against Safety of Civil Aviation Act,
- SAARC Convention (Suppression of Terrorism) Act,
- Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act,
- Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act and
- Relevant offences under the Indian Penal Code, Arms Act and Information Technology Act
- In September 2020, the Centre empowered the NIA to also probe offences under the Narcotic Drugs and Psychotropic Substances Act that are connected to terror cases.

❖ **NIA Special Courts -**

- For the trial of Scheduled Offences constitutes one or more Special Courts under Section 11 and 22 of the NIA Act 2008.
- The Special Court shall be presided over by a judge to be appointed by the Central Government on the recommendation of the Chief Justice of the High Court.
- The 2019 amendment allowed the central government to designate Sessions Courts as Special Courts for the trial of scheduled offences under the Act.

5. Amendments to Foreign Contribution (Regulation) Act

In News

The Union Home Ministry has amended certain rules related to the Foreign Contribution (Regulation) Act (FCRA), allowing Indians to receive up to ₹10 lakh in a year from relatives staying abroad without informing the authorities. The earlier limit was ₹1 lakh.

What is it?

- ❖ The *FCRA was enacted during the Emergency in 1976* in an apprehension that foreign powers were interfering in India's affairs by pumping in funds through independent organisations
- ❖ The law aims to regulate foreign donations to individuals and associations so that they function in a manner consistent with the values of a sovereign democratic republic.
- ❖ It requires every person or NGO wishing to receive foreign donations
 - To be registered under the Act,
 - To open a bank account for the receipt of the foreign funds in State Bank of India, Delhi for the receipt of the foreign funds
 - Utilise those funds only for the purpose for which they have been received and as stipulated in the Act.
 - to file annual returns and not to transfer the funds to another NGO
- ❖ FCRA registrations are granted by the Ministry Of Home Affairs to individuals or associations that have definite cultural, economic, educational, religious, and social programmes.
- ❖ The Act prohibits the receipt of foreign funds by *candidates for elections, journalists or newspaper and media broadcast companies, judges and government servants,*

members of legislature and political parties or their office-bearers, and organisations of a political nature.

❖ **New Amendment:**

- It allows Indians to receive up to Rs 10 lakh annually from their relatives abroad under FCRA. The limit earlier was Rs 1 lakh.
- If the amount exceeds 10 lakhs, the individuals will now have *90 days* to inform the government instead of 30 days earlier.
- It has given individuals and organisations or NGOs 45 days for the application of obtaining 'registration' or 'prior permission' under the FCRA to receive funds. Earlier it was 30 days.
- Political parties, legislature members, election candidates, judges, government servants, journalists and media houses among others — all barred from receiving foreign contribution – will *no longer be prosecuted* if they receive foreign contribution from relatives abroad and fail to intimate the government within 90 days. However, the recipient will be required to pay 5% of the foreign contribution received.
- Organisations receiving foreign funds will not be able to use more than 20 % of such funds for administrative purposes. This limit was 50 % before 2020.
- Made five more offences under the FCRA “compoundable”, making 12, instead of directly prosecuting the organisations or individuals. Earlier, only seven offences under the FCRA were compoundable.

❖ **Compoundable Offences**

- Compoundable offences are those offences where, the complainant (one who has filed the case, i.e., the victim), enter into a compromise, and agrees to have



the charges dropped against the accused. However, such a compromise should

be a "Bonafide," and not for any consideration to which the complainant is not entitled to.

- ❖ The FCRA violations which have become compoundable now include failure to intimate about receipt of foreign funds, opening of bank accounts, failure to place information on website, etc.

6. Sub-categorizing OBCs

In News

The Centre extended the tenure of The Commission to Examine Sub-categorization of Other Backward Classes (OBCs) headed by Justice G Rohini, former Chief Justice of Delhi High Court.

About Sub-Categorizing OBC

- ❖ OBCs are granted 27% reservation in jobs and education under the central government.
- ❖ The sub-categorization is being demanded as only a few communities among the OBCs get a major chunk of the reserved jobs and seats in educational institutes.
- ❖ As there is limited data on the population of various sub-categories of OBCs, the commission was appointed to collect it.
- ❖ This is expected to help the government in forming official OBC sub-categories and ensure a more equitable representation of all sub-communities.
- ❖ **Rohini Commission**
 - The commission was set up by the President under Article 340 of the Indian Constitution
 - The Article reads, "The President may, by order, appoint a Commission consisting of such persons as he thinks fit to investigate the conditions of socially and educationally backward classes within the territory of India..."

Kalelkar Commission, set up in 1953, to identify backward classes other than SCs&STs at the national level



The Mandal Commission Report, 1980 estimated the OBC population at 52% and classified 1,257 communities as backward



In 2008, the Supreme Court directed the central government to exclude the creamy layer (advanced sections) among the OBCs



1990, The central government reserved 27% of seats in union civil posts and services for OBCs [Article 16(4)].



102nd Constitution Amendment Act, 2018 provided constitutional status to the National Commission for Backward Classes (NCBC),

7. National Emblem

In News

PM unveils National Emblem cast on the roof of the new Parliament Building



About the State Emblem

- ❖ The State Emblem of India is the national emblem of the Republic of India and is used by the union government, many state governments, and other government agencies.
- ❖ *The State Emblem is an adaptation of the Lion Capital of Asoka at Sarnath.*
 - In the original, there are four lions, mounted back to back, on a circular abacus, which itself rests on a bell-shaped lotus.

- The frieze of the abacus has sculptures in high relief of an elephant, a galloping horse, a bull and a lion separated by intervening Dharma Chakras.
- ❖ The profile of the Lion Capital showing **four lions mounted on the abacus** with a **Dharma Chakra** in the centre, a **bull** on the right and a **galloping horse** on the left, and **outlines of Dharma Chakras on the extreme right and left** was adopted as the State Emblem of India on January 26, 1950.
- ❖ The bell-shaped lotus was omitted. The motto **Satyameva Jayate**, which means 'Truth Alone Triumphs', written in Devanagari script below the profile of the Lion Capital is part of the State Emblem of India.
- ❖ The emblem forms a part of the official letterhead of the Government of India and appears on all Indian currency as well.
- ❖ It also functions as the national emblem of India in many places and appears prominently on Indian passports.
- ❖ The usage of the emblem is regulated and restricted under **State Emblem of India (Prohibition of Improper Use) Act, 2005** under which, no individual or private organisation is permitted to use the emblem for official correspondence.

8. DTAA regulations

In News

Need for early amendment of DTAA regulations to stop the double taxation of Indian IT firms.

What is it?

- ❖ The **Double Tax Avoidance Agreement (DTAA)** is essentially a bilateral agreement entered into between two countries.
 - The basic objective is to promote and foster economic trade and investment between two Countries by avoiding double taxation.
- ❖ Two countries have an Agreement for Double Tax Avoidance, in which case the possibilities are:
 - The income is taxed only in one country.
 - The income is exempt in both countries.
 - The income is taxed in both countries, but credit for tax paid in one country is given against tax payable in the other country.

- ❖ International double taxation has adverse effects on the trade and services and on movement of capital and people.
 - Taxation of the same income by two or more countries would constitute a prohibitive burden on the tax-payer.
- ❖ The double tax treaties (also called Double Taxation Avoidance Agreements or “DTAA”) are negotiated under public international law and governed by the principles laid down under the Vienna Convention on the Law of Treaties.
- ❖ The need for Agreement for Double Tax Avoidance arises because of conflicting rules in two different countries regarding chargeability of income based on receipt and accrual, residential status etc.
- ❖ In India, The Central Government, acting under Section 90 of the Income Tax Act, has been authorized to enter into double tax avoidance agreements with other countries.
- ❖ **DTAA can be of two types:**
 - Comprehensive - The Comprehensive DTAA's are those which cover almost all types of incomes covered by any model convention. Many a time a treaty covers wealth tax, gift tax, surtax. Etc. too.
 - Limited – The Limited DTAA's are those which are limited to certain types of incomes only, e.g. DTAA between India and Pakistan is limited to shipping and aircraft profits only.

9. Cooperative Societies

In News

The Central Government recently introduced the Multi-State Cooperative Societies (Amendment) Bill, 2022 in Lok Sabha.

Cooperative Societies

- ❖ A co-operative society is a voluntary association of individuals having common needs who join hands for the achievement of common economic interests.
- ❖ Its aim is to serve the interest of the poorer sections of society through the principle of self-help and mutual help.
- ❖ 97th Constitutional Amendment Act 2011:
 - It established the right to form cooperative societies as a fundamental right (Article 19).
 - It included a new Directive Principle of State Policy on the Promotion of Cooperative Societies (Article 43-B).

- It added a new Part IX-B to the Constitution titled "The Co-operative Societies" (Articles 243-ZH to 243-ZT).
- It authorizes the Parliament to establish relevant laws in the case of multi-state cooperative societies (MSCS) and state legislatures in the case of other cooperative societies.

What is it?

- ❖ The Bill proposes to amend the Multi-State Co-operative Societies Act, 2002 in light of the 97th Constitutional Amendment Act of 2011 which inserted Part IXB in the Constitution.
- ❖ The objective of the introduction of the Bill:
 - The bill is introduced with an objective to enhance transparency and accountability and improve the ease of doing business by reducing the period of registration.
- ❖ Highlights of the Bill
 - Cooperative election authority:
 - The Bill also seeks to establish a “cooperative election authority” to bring “electoral reforms” in the cooperative sector.
 - As per the proposed amendment, the authority will consist of a chairperson, a vice-chairperson and a maximum of three members to be appointed by the Centre.
 - Establishment of a Fund & concurrent audit:
 - The Bill seeks to insert a new Section related to the “establishment of the Cooperative Rehabilitation, Reconstruction and Development Fund” for revival of “sick multi-state cooperative societies”.
 - It also proposes to insert Section relating to “concurrent audit” for such multi-state societies with an annual turnover or deposit of more than the amount as determined by the Centre.
 - Complaints redressal:
 - This proposes to appoint one or more “cooperative ombudsman” with territorial jurisdiction to inquire into members’ complaints.
 - The ombudsman will complete the process of inquiry and adjudicate within a period of three months from the date of receiving the complaint

and may issue necessary directions to the society during the course of inquiry.

- Monetary penalties & imprisonment:
 - Increase monetary penalties on multi-state co-op societies for violating provisions of the law to a maximum Rs 1 lakh.
 - The imprisonment term has also been proposed from a maximum six months at present to up to one year in the proposed amendments.
- Cooperative information officer:
 - Provisions for the “appointment of cooperative information officer” to provide information on affairs and management of the multi-state co-op society concerned to members of such society.
- Merger of cooperative society:
 - The Bill proposes merger of “any cooperative society” into an existing multi-state cooperative society.
 - As per the present law, only multi-state cooperative societies can amalgamate themselves and form a new multi-state cooperative society.

Recently the Union Cabinet gave its approval for the creation of three new multi-state cooperative societies under Multi State Cooperative Societies Act 2002.

- **National multi-state cooperative export society:**
- **National multi-state cooperative organic society**
- **National multi-state cooperative seed society**

❖ **Multistate Cooperative Society**

- Multistate Cooperative Society means a society registered or deemed to be registered under Multi-State Co-operative Societies Act, 2002.
- It is not mandatory for society to have branches in more than one state, it may have it limited to one state, and it shall not cease to be a “Multi-State Cooperative Society,” as long as it serves the interest of members in more than one state.

Primary Agricultural Credit Society

- ❖ A **Primary Agricultural Credit Society** is a basic unit and smallest co-operative credit institutions in India. It works on the grassroots level.

- ❖ The main function of the PACS is to *provide short and medium-term purpose loans* to its members. *Borrowing an adequate amount of funds from central financial agencies* in order to help its members in a timely manner.
- ❖ PACS are registered and administered under the respective State Cooperative Laws.
- ❖ These Draft Model Bye-Laws contain various provisions for bringing professionalism, transparency and accountability to their operation.

10. Indian Antarctic Bill, 2022

In News

Parliament Passes the Indian Antarctic Bill 2022

What is it?

- ❖ The Indian Antarctic Bill provides a regulatory framework for India's Antarctic activities through legal mechanisms.
- ❖ The Bill seeks to give effect to the Antarctic Treaty, the Convention on the Conservation of Antarctic Marine Living Resources, and the Protocol on Environmental Protection to the Antarctic Treaty.
- ❖ The main aim is to ensure de-militarisation of the (Antarctic) region along with getting rid of mining or illegal activities

❖ Highlights of the Bill

- Prohibit Indian expedition to Antarctica without permit or written authorisation of another party to Antarctic Treaty.
- Extend jurisdiction of Indian courts to Antarctica and lays out penal provision for crimes on the continent by Indian citizens, and foreign citizens who are part of Indian expeditions.
- The act directs the creation of a fund called the Antarctic Fund that will be used for protecting the Antarctic environment.
- The Bill also establishes a 'Committee on Antarctic Governance and Environmental Protection.'
- Prohibits mining, dredging and activities that threaten the pristine conditions of the continent.

- ❖ The Indian Antarctic program (1981) has completed 41 scientific expeditions and built *three permanent research base stations* in Antarctica.
 - Dakshin Gangotri (1983), Maitri (1988) and Bharati (2012) [only the last two are operational]
- ❖ The entire Indian Antarctic program is managed by the **National Centre for Polar and Ocean Research (NCPOR)** in Goa.

11. Private Member's Bill

In News

Din in Rajya Sabha over private member's Bill.

About Private Member's Bill

- ❖ *A member of parliament (MP) who is not a minister is a private member.* The Bills introduced by private members are referred to as Private Member's Bills.
- ❖ The Bills introduced by ministers are called government Bills. The government bills have the backing of the government and reflect its legislative agenda.
- ❖ Whether the Private Bill has to be admitted or not is decided by the Speaker of the Lok Sabha or Chairperson of the Rajya Sabha.
- ❖ The Private Member's Bills are either drafted by the Member of Parliament (MP) or his staff. The MP who wants to move a Private Member's Bill has to give at least a month's notice, for the House Secretariat to examine it for compliance with constitutional provisions and rules on legislation.
- ❖ While a government Bill can be introduced and discussed on any day, a *private member's bill is only introduced and discussed on Fridays.*
- ❖ In case of multiple Bills, a ballot system is used to decide the sequence of bills for introduction. The Parliamentary Committee on Private Member's Bills and Resolutions goes through all such Bills and classifies them based on their urgency and importance.
- ❖ *No Private Member's Bill has been passed by the Parliament since 1970, according to PRS Legislative Research. So far, the Parliament has passed 14 such Bills, six of them in 1956.*

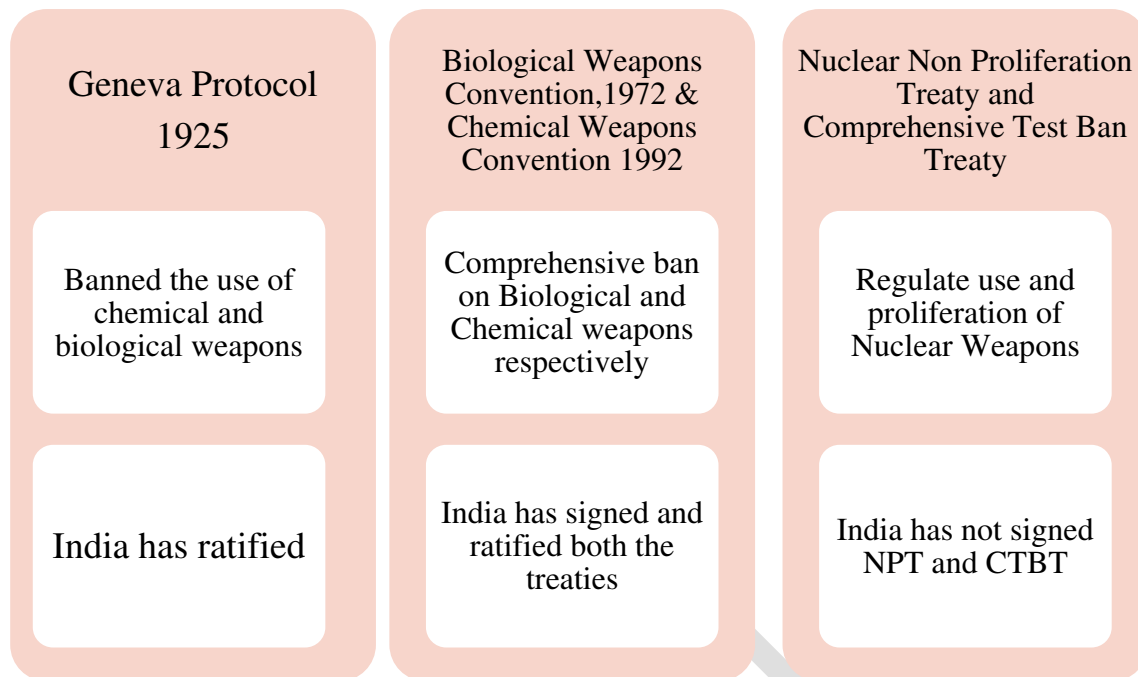
12. Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022

In News

The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022, was passed by Rajya Sabha.

What is it?

- ❖ The bill seeks to modify the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005.
- ❖ *The Act covers unlawful activities relating to biological, chemical, and nuclear weapons and their delivery systems*
 - The existing Act does not cover the financial aspect of such delivery systems, the law covers only trading.
- ❖ Recommendation 7 of the Financial Action Task Force requires all countries, to ensure that financing for WMD-related activities is prohibited.
- ❖ So the 2022 Bill seeks to:
 - Ban funding of weapons of mass destruction (WMDs)
 - Gives the Central Government the power to freeze, seize or attach financial assets of persons involved in such activities.
 - Prohibit making available funds, financial assets, or economic resources for any prohibited activity about weapons of mass destruction and their delivery systems.
- ❖ International Treaties and Agreements to Regulate use of Weapons of Mass Destruction



13. Uniform Civil Code

In News

Recently, a parliamentary panel has reviewed Goa's uniform civil code and highlighted some of the outdated provisions of Goa's uniform civil code.

About UCC in Goa

- ❖ Goa Civil Code: A set of civil laws that governs all residents of Goa irrespective of their religion and ethnicity.
- ❖ *Goa is the only state in India* that has a uniform civil code regardless of religion, gender and cast.
- ❖ Goa, a former Portuguese colony, inherited the Portuguese Civil Code, 1867 that is still applicable in the state even after it joined the Indian Union in 1961 (statehood 1987).

Uniform Civil Code

- ❖ The UCC refers to a common set of laws governing personal matters such as marriage, divorce, adoption, inheritance and succession, that will apply to all citizens irrespective of their religion, caste, and gender.
- ❖ **Article 44** of the Constitution, which is one of the Directive Principles of State Policy, also advocates a uniform civil code.
- ❖ The origin of the UCC dates back to colonial India when the British government submitted its report in 1835 stressing the need for uniformity in the codification of

Indian law relating to crimes, evidence, and contracts, specifically recommending that personal laws of Hindus and Muslims be kept outside such codification.

❖ **B N Rau Committee:**

- Increase in legislation dealing with personal issues in the far end of British rule forced the government to form the B N Rau Committee to codify Hindu law in 1941.

14. Indo Naga Cease Fire Agreement

In News

August 1, 2022 marks the 25th year of Cease Fire Agreement between Government of India and Nationalist Socialist Council of Nagalim (Isak Muivah)

About the Agreement

- ❖ The British annexed Assam in 1826, and in 1881, the Naga Hills too became part of British India.
- ❖ The first sign of Naga resistance was seen in the formation of the Naga Club in 1918, which told the Simon Commission in 1929 “to leave us alone to determine for ourselves as in ancient times”.
- ❖ In 1946 came the Naga National Council (NNC), which declared Nagaland an independent state on August 14, 1947.
- ❖ The NNC resolved to establish a “sovereign Naga state” and conducted a “referendum” in 1951, in which “99 per cent” supported an “independent” Nagaland.
- ❖ Post-independence: 1952, the Naga Federal Government (NFG) and the Naga Federal Army (NFA) were formed. The Government of India sent in the Army to crush the insurgency and, in 1958, enacted the Armed Forces (Special Powers) Act.
- ❖ The NSCN (IM) entered into a ceasefire agreement with the Centre in 1997 and the two have been holding talks since then, while a conglomerate of seven different Naga national political groups (NNPGs) also got into separate talks with the Centre since 2017.
- ❖ The Centre signed a “framework agreement” with NSCN (IM) in 2015, and an “agreed position” with the NNPGs in 2017.
 - However, the NSCN (IM)’s demand for a separate Naga flag and constitution has been a delaying factor in signing a final deal on the protracted Naga political issue.

15. Anti-Doping Bill

In News

Parliament passes National Anti-Doping Bill

Doping:

- ❖ *Doping refers to the use of prohibited medications, drugs, or treatments by athletes with the intention of improving athletic performance.*
- ❖ In 1967 the International Olympic Committee (IOC) banned doping, and in 1999 the IOC led the initiative to form the **World Anti-Doping Agency (WADA)**.
 - WADA forms the backbone of anti-doping laws and testing worldwide, and assists in setting the standard for other agencies and sports.

Provisions of the Bill

- ❖ Prohibits athletes, athlete support personnel, and other persons from engaging in doping in sport.
- ❖ Punishment for violation: Violation of anti-doping rules may result in disqualification of results including forfeiture of medals, points and prizes, ineligibility to participate in a competition or event for a prescribed period, and financial sanctions.
- ❖ **National Anti-Doping Agency (NADA):** The Bill provides for constituting NADA as a statutory body headed by a Director General appointed by the central government.[Currently, National Anti-Doping Agency (NADA), is established as a society]
 - Functions of the NADA include planning, implementing and monitoring anti-doping activities, and investigating anti-doping rule violations.
- ❖ National Anti-Doping Disciplinary Panel for determining consequences of anti-doping rule violations
- ❖ Testing facility - The Bill will also pave the way for establishing more Dope Testing Laboratories in the country
- ❖ India will now join the League of Nations like the US, China, France, Australia, Japan, S Korea to have a law and dope test laboratory.

16. The Criminal Procedure (Identification) Act

In News

Recently, the Criminal Procedure (Identification) Act which was passed by the Parliament, came into force.

What is it?

- ❖ *The Act replaces the colonial-era Identification of Prisoners Act, 1920.*
- ❖ The new law allows investigators to collect certain identifiable information of convicts and other persons for purposes of identification and investigation in criminal matters.

Key Provisions of The Act

- ❖ Legal sanction of data collection: to the police to take physical and biological samples of convicts as well as those accused of crimes.
- ❖ It empowers police to collect:
 - Finger Print, Palm prints and Foot prints, Photos, Iris and retina Scans, Behavioural attributes, Signature and Hand writing.
 - The 1920 law allowed police authorities to take only fingerprint and footprint impressions of a limited category of convicted persons
- ❖ The Act applies to persons detained under any preventive detention law.
- ❖ Empowers the National Crime Records Bureau (NCRB) to store, preserve, share with any law enforcement agency and destroy the record of measurements at the national level.
- ❖ The records can be stored up to a period of 75 years
- ❖ The act does away with the condition of an offence being punishable by at least one year or more of imprisonment for the “measurements” to be taken.
- ❖ Under the act, a Magistrate may direct a person to give details for the purpose of an investigation or proceeding under the CrPC.
- ❖ The Act does not explicitly bar taking measurements of juveniles.
 - The provisions of the (Special Act) Juvenile Justice Act, 2015 regarding the destruction of records of conviction under the Act, shall apply.

17. Manipur to Implement the NRC

In News

Recently, the Manipur Assembly has resolved to implement the National Register of Citizens (NRC) and establish a State Population Commission (SPC).

About NRC

- ❖ *The NRC is an official record of those who are legal Indian citizens.*

- It includes demographic information about all those individuals who qualify as citizens of India as per the Citizenship Act, 1955.
 - The register was first prepared after the 1951 Census of India and since then it has not been updated until recently.
 - The NRC was prepared under a directive from the Ministry of Home Affairs (MHA).
 - It has been updated in Assam only for now and the government plans to update it nationally as well.
- ❖ **Purpose:** To separate “illegal” immigrants from “legitimate” residents.
 - ❖ **Nodal Agency:** Registrar General and Census Commissioner India

18. The Panchayat (Extension of the Scheduled Areas) Act, 1996[PESA Act]

In News

The Chhattisgarh government recently implemented the extension of panchayat rights in scheduled areas — terming it the Chhattisgarh Panchayat Provisions (Extension of the Scheduled) Rules, 2021.

What is it?

- ❖ The 73rd and the 74th Amendments to the Indian Constitution passed in 1992 took the three-tier Panchayati Raj governance structure to rural and urban parts of the country
 - However, scheduled areas, predominantly inhabited by the tribal population, were exempted from the new amendments.
- ❖ Given low human development indicators, there was a huge demand to empower local governance in the scheduled area as well.
- ❖ Thus Parliament enacted special legislation called **Panchayat (Extension to Scheduled Areas) Act (PESA) in 1996**
- ❖ **Objectives:**
 - To extend the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas with certain modifications.
 - To provide self-rule for the bulk of the tribal population.
 - To have village governance with participatory democracy and to make the Gram Sabha a nucleus of all activities.

- To evolve a suitable administrative framework consistent with traditional practices.
- To safeguard and preserve the traditions and customs of tribal communities.

❖ **Applicability:**

- It is applicable in the Fifth Schedule areas, which deals with the administration of the districts dominated by the tribal communities.
- It is in force in 10 states of the country.
 - States namely Andhra Pradesh, Himachal Pradesh, Gujarat, Maharashtra, Rajasthan, Telangana and Chhattisgarh have notified PESA Rules.
 - The remaining States namely, Jharkhand, Madhya Pradesh and Odisha should also frame PESA Rules and start implementing them soon.

❖ **The Gram Sabhas under PESA Act were entrusted with wide-ranging powers to:**

- Enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant.
- Ownership of minor forest produce.
- Prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe.
- Manage village markets by whatever name is called.
- Exercise control over money lending to the Scheduled Tribes.
- Exercise control over institutions and functionaries in all social sectors.
- Control over local plans and resources for such plans including tribal sub-plans.

19. Chief Justice of India

In News

Justice D.Y. Chandrachud appointed the 50th Chief Justice of India.

Debates regarding collegium system

About the CJI

- ❖ The Chief Justice of India is the Chief Judge of the Supreme Court of India as well as the highest-ranking officer of the Indian Judiciary.

- ❖ The chief justice is responsible for the allocation of cases and appointment of constitutional benches which deal with important matters of law.
- ❖ As per the **Article 145** of the Constitution of India and the Supreme Court Rules of Procedure of 1966, the chief justice allocates all work to the other judges.
- ❖ The **administrative responsibilities** of CJI includes:
 - Functions of maintenance of the roster
 - Appointment of court officials
 - Supervision of general and miscellaneous matters relating to the functioning of the Supreme Court
- ❖ **Appointment of CJI**
 - The chief justice is appointed by the President of India after consultation with such judges of the Supreme Court and high courts.
 - From 1950 to 1973, the senior most judge of the Supreme Court was appointed as the chief justice of India.
 - This convention was violated in 1973 when A.N. Ray was appointed as the Chief Justice of India by superseding three senior judges.
 - In 1977, M.U. Beg was appointed as the chief justice of India by superseding the then senior-most judge.
 - This discretion of the government was curtailed by the Supreme Court in the **Second Judges Case (1993)**, in which the Supreme Court ruled that the senior most judge of the Supreme Court should alone be appointed to the office of the chief justice of India.
- ❖ **Tenure of CJI**
 - The CJI holds office until he/she attains the age of 65 years. Any question regarding his/her age is to be determined by such authority and in such manner as provided by Parliament.
 - CJI can resign his office by writing to the president.
 - CJI can be removed from his office by the President on the recommendation of the Parliament.
 - The Constitution has not fixed the tenure of a judge of the Supreme Court.
- ❖ **Acting Chief Justice**

- The President can appoint a judge of the Supreme Court as an acting Chief Justice of India when:
 - The office of Chief Justice of India is vacant; or
 - The Chief Justice of India is temporarily absent; or
 - The Chief Justice of India is unable to perform the duties of his office.

About Collegium

❖ *The Indian Judicial collegium system is where existing judges appoint judges to the Supreme courts.*

❖ **Evolution of the System:**

➤ **First Judges Case (1981):**

- It declared that the “primacy” of the CJI’s (Chief Justice of India) recommendation on judicial appointments and transfers can be refused for “cogent reasons.”

➤ **Second Judges Case (1993):**

- SC introduced the Collegium system, holding that “consultation” really meant “concurrence”.
- It added that it was not the CJI’s individual opinion, but an institutional opinion formed in consultation with the two senior-most judges in the SC.

➤ **Third Judges Case (1998):**

- SC on the President's reference (Article 143) expanded the Collegium to a five-member body, comprising the CJI and four of his senior-most colleagues.

❖ **Who Heads the Collegium System?**

- The SC collegium is headed by the CJI (Chief Justice of India) and comprises four other senior most judges of the court.
- A High Court collegium is led by the incumbent Chief Justice and two other senior most judges of that court.
- Judges of the higher judiciary are appointed only through the collegium system and the government has a role only after names have been decided by the collegium.

❖ **What are the Procedures for Judicial Appointments?**

➤ **For CJI:**

- The President of India appoints the CJI and the other SC judges.
- As far as the CJI is concerned, the outgoing CJI recommends his successor.
- In practice, it has been strictly by seniority ever since the supersession controversy of the 1970s.

➤ **For SC Judges:**

- For other judges of the SC, the proposal is initiated by the CJI.
- The CJI consults the rest of the Collegium members, as well as the senior-most judge of the court hailing from the High Court to which the recommended person belongs.
- The consultees must record their opinions in writing and it should form part of the file.
- The Collegium sends the recommendation to the Law Minister, who forwards it to the Prime Minister to advise the President.

➤ **For Chief Justice of High Courts:**

- The Chief Justice of the High Court is appointed as per the policy of having Chief Justices from outside the respective States.
- The Collegium takes the call on the elevation.
- High Court judges are recommended by a Collegium comprising the CJI and two senior-most judges.
- The proposal, however, is initiated by the outgoing Chief Justice of the High Court concerned in consultation with two senior-most colleagues.
- The recommendation is sent to the Chief Minister, who advises the Governor to send the proposal to the Union Law Minister.

20. Essential Commodities Act of 1955

What is it?

- ❖ The Essential Commodities Act gives powers to the central government to add or remove a commodity in the “Schedule.” The Centre, if it is satisfied that it is necessary

to do so in public interest, can notify an item as essential, in consultation with state governments.

- There is no specific definition of essential commodities in the Act. Section 2(A) of the act states that an “essential commodity” means a commodity specified in the “Schedule” of this Act.
- By declaring a commodity as essential, the government can control the production, supply, and distribution of that commodity, and impose a stock limit.

Any action on imposing stock limits will be based on the price trigger.

❖ In case of horticultural produce

- a 100 per cent increase in the retail price of the commodity over the immediately preceding 12 months or the average retail price of the last five years, whichever is lower, will be the trigger for invoking the stock limit for such commodities.

❖ In case of non-perishable agricultural foodstuffs

- the price trigger will be a 50 per cent increase in the retail price of the commodity over the immediately preceding 12 months or the average retail price of the last five years, whichever is lower.

❖ The list of items under the Act includes drugs, fertilizers, pulses, and edible oils, as well as petroleum and petroleum products.

- The centre can include new commodities as and when the need arises, and take them off the list once the situation improves.
- The latest items added to this schedule are face masks and hand sanitisers, which were declared essential commodities with effect from March 13, 2020 in the wake of Covid-19 outbreak.

21. Lok Adalats

In News

Over 74 lakh cases cleared by Lok Adalat.

What is it?

- ❖ Lok Adalat is one of the alternative dispute redressal mechanisms, it is a forum where disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably.



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- ❖ Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987.
- ❖ National Legal Services Authority (NALSA) along with other Legal Services Institutions conducts Lok Adalats.
- ❖ The decision made by the Lok Adalats is deemed to be a decree of a civil court and is final and binding on all parties and no appeal against such an award lies before any court of law.
 - If the parties are not satisfied with the award of the Lok Adalat though there is no provision for an appeal against such an award, but they are free to initiate litigation by approaching the court of appropriate jurisdiction by filing a case by following the required procedure, in exercise of their right to litigate.
- ❖ There is no court fee payable when a matter is filed in a Lok Adalat. If a matter pending in the court of law is referred to the Lok Adalat and is settled subsequently, the court fee originally paid in the court on the complaints/petition is also refunded back to the parties.
- ❖ The persons deciding the cases in the Lok Adalats are called the Members of the Lok Adalats, they have the role of statutory conciliators only and do not have any judicial role.
 - They can only persuade the parties to come to a conclusion for settling the dispute outside the court in the Lok Adalat and shall not pressurize or coerce any of the parties to compromise or settle cases or matters either directly or indirectly.
- ❖ The Lok Adalat shall not decide the matter so referred at its own instance, instead the same would be decided on the basis of the compromise or settlement between the parties.
- ❖ The members shall assist the parties in an independent and impartial manner in their attempt to reach amicable settlement of their dispute.
- ❖ **Nature of Cases to be referred to Lok Adalat:**
 - Any case pending before any court.
 - Any dispute which has not been brought before any court and is likely to be filed before the court.
 - The Case Referred to the Lok Adalat for Settlement
 - Case pending before the court.

- Any dispute at pre-litigative stage.
- ❖ National Level Lok Adalats are held for at regular intervals where on a single day Lok Adalats are held throughout the country, in all the courts right from the Supreme Court till the Taluk Levels.
- ❖ The other type of Lok Adalat is the Permanent Lok Adalat, organized under Section 22-B of The Legal Services Authorities Act, 1987.
 - Permanent Lok Adalats have been set up as permanent bodies with a Chairman and two members for providing compulsory pre-litigative mechanism for conciliation and settlement of cases relating to Public Utility Services like transport, postal, telegraph etc.
 - Mobile Lok Adalats are also organized in various parts of the country which travel from one location to another to resolve disputes in order to facilitate the resolution of disputes through this mechanism.

22. Legal Metrology (Packaged Commodities) Rules 2011

In News

Centre amends the Legal Metrology (Packaged Commodities) Rules 2011 for ease of doing business.

What is it?

- ❖ The Legal Metrology (Packaged Commodities) Rules, 2011 ("Packaging Rules") regulate pre-packaged commodities in India and inter-alia mandate certain labelling requirements prior to sale of such commodities.
- ❖ These rules were notified under the Legal Metrology Act 2009.
 - The Act was established to enforce standards of weights and measures, regulate trade and commerce in weights, measures and other goods which are sold or distributed by weight, measure or number and any other matter that is connected to the same.
- ❖ Department of Consumer Affairs vide the Legal Metrology (Packaged Commodities) (Third Amendment) Rules, 2022 has exempted the garment or hosiery industry selling garment or hosiery items in loose or open, for ease of doing business and reducing the compliance burden.
- ❖ *As per the amendment only the following information relevant to consumers is to be given:*

- Name and address of the manufacturer/ marketer/ brand owner/ importer with country of origin or manufacture in case of imported products,
- Consumer care email id and phone number,
- Sizes with internationally recognizable size indicators such as S, M, L, XL, XXL and XXXL along with details in metric notation in terms of cm or m and
- Maximum retail price (MRP)

23. Battery Waste Management Rules, 2022

In News

Government notifies Battery Waste Management Rules, 2022.

What is it?

- ❖ Ministry of Environment, Forest and Climate Change, Government of India published the Battery Waste Management Rules, 2022.
 - It was issued to ensure environmentally sound management of waste batteries.
 - Notification of these rules is a transformative step to promote Circular Economy in full earnest.
- ❖ The New rules will replace Batteries (Management and Handling) Rules, 2001.
- ❖ **The rules cover all types of batteries**, viz. Electric Vehicle batteries, portable batteries, automotive batteries and industrial batteries.
- ❖ The rules function based on the concept of **Extended Producer Responsibility (EPR)** where the producers (including importers) of batteries are responsible for collection and recycling / refurbishment of waste batteries and use of recovered materials from wastes into new batteries.
- ❖ EPR mandates that all waste batteries to be collected and sent for recycling/refurbishment, and it prohibits disposal in landfills and incineration.
- ❖ The battery producers must engage themselves or authorise any other entity for collection, recycling or refurbishment of waste batteries.
- ❖ The rules will enable setting up a mechanism and centralized online portal for exchange of EPR certificates between producers and recyclers/refurbishers to fulfil the obligations of producers.
- ❖ The rules promote setting up of new industries and entrepreneurship in collection and recycling/refurbishment of waste batteries.

- ❖ The recovery of materials from waste batteries under the rules will bring new technologies and investment in recycling and refurbishment industry and create new business opportunities.
- ❖ The use of recycled materials in making of new batteries will reduce the dependency on new raw materials and save natural resources.
- ❖ Environmental compensation will be imposed for non-fulfilment of Extended Producer Responsibility targets based on the principle of Polluter Pays Principle

24. Indian Telegraph Right of Way (RoW) Rules, Amendment 2022

In News

Gati-Shakti Vision for Telecom Infrastructure – Right of Way Rules Amended for Faster 5G Roll-out.

What is it?

- ❖ The Indian Telegraph Right of Way (RoW) Rules, 2016 was amended to facilitate faster and easier deployment of Telecom Infrastructure and launched a new 5G RoW application 'form' on GatiShakti Sanchar Portal to enable faster 5G roll-out in India.
- ❖ The 4 basic ingredients for ensuring faster rollout of 5G services across the country are
 - *allocation of spectrum, reforms in the processing of RoW permission, co-operative federalism and rollout of services.*
- ❖ The amended Right of Way Rules, charges for RoW permissions have been made reasonable.
 - A ceiling for RoW charges for installation of 5G small cells and optical fibre cable on street furniture has been fixed.
 - These amendments will pave the way for deployment of 5G small cells on existing street infrastructure.
- ❖ The salient features of the amendments are as follows:
 - Expansion of telecom infrastructure
 - Improving ease of doing business
 - Rationalization of fees/charges
 - Telecom infrastructure over private property

25. Minority status of Religions in India

In News

Minority status plea: govt. seeks time.

What is it?

- ❖ The *Constitution does not define the term minority*.
 - The Constitution actually conceives 'minority' as an open category to protect the interests of various religious, linguistic and culturally distinctive groups.
- ❖ **Article 29** of Constitution is for the Protection of Interests of Minorities.
 - This provides any section of the citizens residing in India having a distinct culture, language, or script, the right to conserve their culture, language and script.
- ❖ According to **Article 30**, all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.
- ❖ According to Article 350(B), there shall be a **Special Officer for linguistic minorities** to be appointed by the President to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at the intervals directed by the President.
- ❖ **National Commission for Minority Act 1992** dictates that the Parliament and Centre has power to notify a community as minority.
- ❖ Parliament and State Legislatures have concurrent powers to enact laws to provide for protection of minorities and their interests.
- ❖ **Six religious communities** - *Muslims, Christians, Sikhs, Buddhists, Zoroastrians (Parsis) and Jains* have been notified in Gazette of India as minority communities by the Union Government all over India.
 - Original notification of 1993 was for five religious communities; Sikhs, Buddhists, Parsis, Christians and Muslims, later in 2014, Jains community was also added.
- ❖ The issue of granting minority status to religious communities, including Hindus, said to be numerically low in as many as 10 States is before the Supreme Court.

26. National Pharmaceutical Pricing Authority

In News

National Pharmaceutical Pricing Authority to celebrate its Silver Jubilee.

What is it?

- ❖ National Pharmaceutical Pricing Authority (NPPA) was constituted followed by a Government of India Resolution in 1997.
- ❖ It was started as an attached office of the Department of Pharmaceuticals (DoP), Ministry of Chemicals & Fertilizers as an independent Regulator for pricing of drugs and to ensure availability and accessibility of medicines at affordable prices.
- ❖ NPPA is functioning through the Price Monitoring and Research Units (PMRUs) at State levels. PMRU will function at the State level under the direct supervision of the State Drug Controller for increasing outreach of NPPA.
- ❖ The primary function of PMRUs is to *assist NPPA in monitoring of prices of drugs, ensuring availability of drugs and raising consumer awareness*. They act as collaborating partners of NPPA with information gathering mechanism at the grass-roots level.
- ❖ Services provided by NPPA are:
 - Pharma Sahi Dam
 - Pharma Jan Samadhan
 - Integrated Public Database Management System (IPDMS) Registration

27. Crime Multi Agency Centre (Cri-MAC)

In News

Seven States cold to Centre's crime portal.

What is it?

- ❖ **CriMAC** was launched to share info on significant crimes across the country.
 - It was launched in 2020 by the Ministry of Home Affairs (MHA) to share information on crime and criminals 24x7 with various law enforcement agencies and ensure a seamless flow of information among them.
- ❖ The application run by the **National Crime Records Bureau (NCRB)**.
- ❖ It aims to help in early detection and prevention of crime incidents across the country.

- ❖ It has uploaded information on the release of hardened criminals from jail or an incident of terror, murder, dacoity etc. by the states and UTs.
- ❖ The number of alerts uploaded on the portal stood at 35,145. Delhi, Assam and Haryana uploaded the maximum number of alerts on the portal.
- ❖ It facilitates dissemination of information about significant crimes, including human trafficking across the country on real-time basis and enables interstate coordination.

28. Periodic Labour Force Survey (PLFS)

In News

Jobless rate zooms to 1-year high of 8.3%.

What is it?

- ❖ ***National Statistical Office (NSO) launched Periodic Labour Force Survey (PLFS) in 2017.***
 - It was launched because, considering the importance of availability of labour force data at more frequent time intervals.
- ❖ **The objective of PLFS are:**
 - To estimate the key employment and unemployment indicators in the short time interval of three months for the urban areas only in the Current Weekly Status (CWS).
 - To estimate employment and unemployment indicators in both 'Usual Status' (ps+ss) and CWS in both rural and urban areas annually.
- ❖ **The key employment and unemployment indicators are:**
 - Worker Population Ratio
 - Labour Force Participation Rate
 - Unemployment Rate
- ❖ On the basis of the data collected in PLFS, four Annual Reports of PLFS covering both rural and urban areas giving estimates of all important parameters of employment and unemployment in both usual status (ps+ss) and current weekly status (CWS) have been released.
- ❖ A rotational panel sampling design has been used in urban areas PLFS. In this, each selected household in urban areas is visited four times, in the beginning with 'First Visit Schedule' and thrice periodically later with a 'Revisit Schedule'.

- The scheme of rotation ensures that 75% of the first-stage sampling units (FSUs) are matched between two consecutive visits.

29. Protection of Children from Sexual Offences Act, 2012

In News

Death of minors in Walayar: POCSO court grants bail to accused.

What is it?

- ❖ The **POCSO Act, 2012** is a comprehensive law provides for *protection of children from sexual assault, sexual harassment and pornography*.
 - It safeguards the interests of children at every stage of the judicial process through child-friendly mechanisms for reporting, recording of evidence, investigation and speedy trial through special courts.
- ❖ The Act was amended in 2019, to make provisions for enhancement of punishments for various offences so as to deter the perpetrators and ensure safety, security and dignified childhood for a child.
- ❖ **Salient features of the Act:**
 - The Act is gender neutral and regards the best interests and welfare of the child as a matter of paramount importance at every stage.
 - It ensure the healthy physical, emotional, intellectual and social development of the child.
 - The Act defines a child as any person below eighteen years of age.
 - It defines different forms of sexual abuse, including penetrative and non-penetrative assault, as well as sexual harassment and pornography.
 - It deems a sexual assault to be “aggravated” under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority.
 - People who traffic children for sexual purposes are also punishable under the provisions relating to abetment in the Act.
 - The Act prescribes stringent punishment graded as per the gravity of the offence, with a maximum term of rigorous imprisonment for life, and fine.
 - It defines "child pornography" as any visual depiction of sexually explicit conduct involving a child which include photograph, video, digital or computer generated image.

- The Act provides for the establishment of Special Courts for trial of offences under the Act, keeping the best interest of the child as of paramount importance at every stage of the judicial process.
- The Act incorporates child friendly procedures for reporting, recording of evidence, investigation and trial of offences.
- The media has been barred from disclosing the identity of the child without the permission of the Special Court. The punishment for breaching this provision by media may be from six months to one year.

❖ **The POCSO Act is only applicable to child survivors and adult offenders.**

- In case two children have sexual relations with each other, or in case a child perpetrates a sexual offence on an adult, the Juvenile Justice (Care and Protection of Children) Act, 2000, will apply.

30. Central Drugs Standard Control Organisation (CDSCO)

In News

Bharat Biotech's intra-nasal COVID vaccine gets emergency use approval.

What is it?

- ❖ **The Central Drugs Standard Control Organization (CDSCO)** is the Central Drug Authority for discharging functions assigned to the Central Government under the Drugs and Cosmetics Act.
 - It is under the Directorate General of Health Services, Ministry of Health & Family Welfare, Government of India.
- ❖ It ensure safeguard and enhance the public health by assuring the safety, efficacy and quality of drugs, cosmetics and medical devices.
- ❖ **Major functions of CDSCO:**
 - Regulatory control over the import of drugs
 - Approval of new drugs and clinical trials
 - Meetings of Drugs Consultative Committee (DCC) and Drugs Technical Advisory Board (DTAB)
 - Approval of certain licenses as Central License Approving Authority is exercised by the CDSCO headquarters

- Coordination of the activities of State Drug Control Organisations
- Provide expert advice with a view of bring about the uniformity in the enforcement of the Drugs and Cosmetics Act.

31. Unlawful Activities (Prevention) Act 1967

In News

The Ministry of Home Affairs (MHA) declared the Popular Front of India (PFI) and its front organisations as an “unlawful association” under the Unlawful Activities (Prevention) Act (UAPA).

About UAPA

- ❖ The UAPA is India’s main law against terrorism and terrorist activities.
- ❖ The objective of The Unlawful Activities (Prevention) Act, 1967 is to provide for the more effective prevention of certain unlawful activities of individuals and associations and for matters connected therewith.
- ❖ **Unlawful activity**, in relation to an individual or association, means any action taken by such individual or association whether by committing an act or by words, either spoken or written, or by signs or by visible representation:
 - Which is intended, or supports any claim, to bring about, on any ground whatsoever, the cession of a part of the territory of India or the secession of a part of the territory of India from the Union, or which incites any individual or group of individuals to bring about such cession or secession
 - Which disclaims, questions, disrupts or is intended to disrupt the sovereignty and territorial integrity of India
 - Which causes or is intended to cause disaffection against India
- ❖ It allows the government to declare an organisation an “**unlawful association**” or a “**terrorist organisation**”, which is often colloquially described as a “ban” on the organisations.
 - Under Section 3 of the UAPA Act, the government has powers to declare an association “unlawful”.
- ❖ **Definition of “unlawful association”**
 - Section 2(1)(p) of the UAPA defines an “unlawful association” as an association which has for its object any unlawful activity or offence defined under Sections 153A or 153B of the Indian Penal Code — that is, promoting

enmity between different groups and making imputations, assertions that are prejudicial to national integration.

- An unlawful association is also one that “encourages or aids persons to undertake any unlawful activity, or of which the members undertake such activity”
- ❖ Under Section 4 of the UAPA, the government is mandated to send the notification to the Unlawful Activities Prevention Tribunal, which is required to be headed by a retired or sitting judge of a High Court, within 30 days of issuing the gazette notification to have the ban ratified.
 - The ban becomes applicable for a period of five years once the Tribunal approves it.
- ❖ **Consequences of being declared unlawful**
 - Declaring an organisation an unlawful organisation has serious consequences in law, which include the criminalisation of its membership and the forfeiture of the properties of the organisation.
 - Under Section 7 of the UAPA, the government has power to prohibit the use of funds of an unlawful association and,
 - Under Section 8, all places that are used by the unlawful association can be notified and seized

Recent Amendment

- ❖ The most *recent amendment of the law, the Unlawful Activities (Prevention) Amendment Act, 2019 (UAPA 2019) has made it possible for the Union Government to designate individuals as terrorists.*
- ❖ **The provisions of 2019 amendments are:**
 - The Bill additionally empowers the government to designate individuals as terrorists on the same grounds as for an organisation.
 - The Bill adds that if the investigation is conducted by an officer of the National Investigation Agency (NIA), the approval of the Director General of NIA would be required for seizure of such property.
 - The Bill additionally empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases.
 - The Bill adds another treaty to the list. This is the International Convention for Suppression of Acts of Nuclear Terrorism (2005).

32. Serious Fraud Investigation Office (SFIO)

What is it?

- ❖ **Serious Fraud Investigation Office (SFIO)** has been established through the Government of India vide Notification, as per the Companies Act, 2013.
 - It is a **multi-disciplinary organization under the Ministry of Corporate Affairs**, consisting of experts in the field of accountancy, forensic auditing, banking, law, information technology, investigation, company law, capital market and taxation, etc. for detecting and prosecuting or recommending for prosecution white-collar crimes/frauds.
- ❖ Investigation into the affairs of a company is assigned to SFIO, where Government is of the opinion that it is necessary to investigate into the affairs of a company:
 - On receipt of a report of the Registrar or inspector under section 208 of the Companies Act, 2013
 - On intimation of a special resolution passed by a company that its affairs are required to be investigated
 - In the public interest; or on request from any department of the Central Government or a State Government.
- ❖ SFIO is headed by a Director as Head of Department in the rank of Joint Secretary to the Government of India.
- ❖ *It take up for investigation cases characterized by –*
 - Complexity and having inter-departmental and multi-disciplinary ramifications.
 - Substantial involvement of public interest to be judged by size, either in terms of monetary.
 - The possibility of investigation leading to or contributing towards a clear improvement in systems, laws or procedures.

33. National Lists of Essential Medicines (NLEM)

In News

Dr Mansukh Mandaviya launches National Lists of Essential Medicines (NLEM) 2022.

What is it?

- *As per the World Health Organisation (WHO), Essential Medicines are those that satisfy the priority health care needs of the population.*
- The list is made with consideration to -
 - disease prevalence, efficacy, safety and comparative cost-effectiveness of the medicines.
- These medicines are intended to be available in adequate amounts, in appropriate dosage forms and strengths with assured quality.
 - They should be available in such a way that an individual or community can afford.
- The decision about which medicines are essential remains a national responsibility based on the country's disease burden, priority health concerns, affordability concerns etc.
- Ministry of Health and Family Welfare, Government of India hence prepared and released the first National List of Essential Medicines of India in 1996 consisting of 279 medicines.
- This list was subsequently revised in 2003 and had 354 medicines. In 2011, the list was revised and had 348 medicines.
- Till June 2018, 851 medicines are regulated under Revised Schedule - I based on National List of Essential Medicines, 2015 (NLEM, 2015).

❖ **The NLEM may have multiple uses. It can:**

- Guide safe and effective treatment of priority disease conditions of a population
- Promote the rational use of medicines
- Optimize the available health resources of a country.
- It can also be a guiding document for state governments to prepare their list of essential medicines.

34. Legal Abortion

In News

The Supreme Court has ruled that all women, regardless of their marital status, were entitled to benefits of safe and legal abortion till 24 weeks of pregnancy.

Any distinction between a married and an unmarried woman under abortion laws was "artificial and constitutionally unsustainable"

The SC's Ruling

- ❖ Supreme Court has ruled over **The Medical Termination of Pregnancy Act of 1971** which bars unmarried women from terminating pregnancies which are up to 24-weeks old.
 - The Medical Termination of Pregnancy Act of 1971 and its Rules of 2003 prohibit unmarried women who are between 20 weeks to 24 weeks pregnant to abort with the help of registered medical practitioners.
- ❖ **Right to Choose under Article 21:** Court held that the rights of reproductive autonomy, dignity and privacy under Article 21 of the Constitution gives an unmarried woman the right of choice as to whether or not to bear a child on a similar footing as that of a married woman.
- ❖ **Right to Equality under Article 14:** Prohibiting single or unmarried pregnant women with pregnancies between 20 and 24 weeks from accessing abortion while allowing married women with the same term of pregnancy to access the care was violative of the right to equality before law and equal protection (Article 14).
- ❖ **Not Constitutionally Sustainable:** Artificial distinction between married and unmarried women is not constitutionally sustainable. The benefits of law extend equally to single and married women.
- ❖ **Extended the Ambit of Reproductive Rights:**
 - The term Reproductive Right is not restricted to having or not having children.
 - Reproductive rights' of women included a "constellation of rights, entitlements and freedoms for women".
 - Reproductive rights include the right to access education and information about contraception and sexual health,
 - Right to choose safe and legal abortion and right to reproductive health care.
- ❖ **Views on Marital Rape:** The bench also said that the meaning of rape must include marital rape for the purpose of the MTP Act.
- ❖ **Salient features of the "Medical Termination of Pregnancy (Amendment) Act 2021**
 - Abortions before 20 weeks of pregnancy:
 - Terminating a pregnancy up to 20 weeks will only require the medical advice of one doctor.
 - Abortions up to or beyond 24 of pregnancy:

- Abortion is legal for women in certain circumstances up to 24 weeks.
 - It would include: survivors of rape, victims of incest and other vulnerable women (like differently-abled women, minors) etc.
 - Opinion of 2 providers is required for termination of pregnancy of 20-24 weeks of gestation.
- A state-level medical board will be set up to decide:
- if pregnancy may be terminated beyond 20 months till 24 months.
 - Such a decision can be taken by the medical board only after due consideration and ensuring that the procedure would be safe for the woman.
 - The time frame available to the Medical Board is 3 days.
 - The upper gestation limit does not apply in cases of substantial foetal abnormalities diagnosed by the Medical Board.

35. Banking Act of 2020

In News

Madras HC to hear cases filed across country challenging validity of Banking Act of 2020.

About the Act

- ❖ The Banking Regulation (Amendment) Bill, 2020 was introduced in Lok Sabha by the Minister of Finance in 2020.
 - The Bill seeks to amend the Banking Regulation Act, 1949, with regard to cooperative banks.
- ❖ The Act regulates the functioning of cooperative banks and provides details on various aspects such as licensing, management, and operations of these banks.

Provisions of the Act

- It states a cooperative bank may issue equity shares, preference shares, or special shares on face value or at a premium to its members or to any other person residing within its area of operation.
- Banks can issue unsecured debentures or bonds or similar securities with maturity of ten or more years to such persons.
- A co-operative bank cannot withdraw or reduce its share capital, except as specified by the RBI.

- RBI may supersede the Board of Directors of a multi-state cooperative bank for up to five years under certain conditions.
- In case of a co-operative bank registered with the Registrar of Co-operative Societies of a state, the RBI will supersede the Board of Directors after consultation with the concerned state government.
- RBI may exempt a cooperative bank or a class of cooperative banks from certain provisions of the Act through notification.

❖ **The Act does not apply to certain cooperative societies. These are:**

- Primary agricultural credit societies
 - Cooperative land mortgage banks
 - Any other cooperative societies (except those specified in the Act).
- These societies must not:
- Use the words ‘bank’, ‘banker’ or ‘banking’ in their name or in connection with their business, and
 - Act as an entity that clears cheques.

36. National Crisis Management Committee (NCMC)

In News

NCMC under Chairmanship of Cabinet Secretary meets and reviews preparedness for possible cyclonic storm over Bay of Bengal.

About NCMC

- NCMC was set up by the Government of India in the wake of a natural calamity for effective coordination and implementation of relief measures and operations.
- It is headed by the ***Cabinet Secretary***.
- It is India’s apex body to handle any emergency.
- This committee also issues directions to the Crisis Management Group
- The Committee consists of Cabinet Secretary as Chairman, Secretary to Prime Minister Member, Secretary (MHA) Member, Secretary (MCD) Member, Director (IB) Member, Secretary (R&AW) Member, Secretary (Agri & Coopn.) Co-opted Member, An officer of Cabinet Secretariat. Convenor

❖ **Functions-**

- It review contingency plans formulated by various Ministries
- It review measures required for dealing with a natural disaster
- It coordinate the activities of the Central Ministries and the State Governments in relation to disaster preparedness.

37. Review Petition

About Review Petition

- ❖ **Article 137** of the Constitution of India grants the Supreme Court the power to review any of its judgments or orders.
 - This power is subject to the Rules made by the Supreme Court under Article 145, as well as the provisions of any law enacted by parliament.
- ❖ The purpose of a review petition is limited to remedying an apparent error or the resultant grave injustice that has been the consequence of a decision of the Supreme Court.
- ❖ As per the Supreme Court Rules, 2013 (XLVII.2) a review Petition must be filed within 30 days from the judgment or order of which review is sought.
 - It must be placed before the same Bench which had delivered the decision.
 - When hearing a review petition filed against its own order or judgment, the Supreme Court does not rehear the case.
 - The Court restricted the exercise of the power of review to cases where there is an error apparent on the face of the record or in accordance with the provisions of Order XLVII of the Code of Civil Procedure, 1908.

38. Competition Commission of India

In News

CCI imposes Rs. 936cr. fine on Google.

About CCI

- ❖ Competition Commission of India (CCI) is a statutory body of the Government of India responsible for enforcing the Competition Act, 2002
- ❖ **Composition:**

- The Commission consists of *one Chairperson and six Members* who shall be appointed by the Central Government.
- The commission is a quasi-judicial body which gives opinions to statutory authorities and also deals with other cases. The Chairperson and other Members shall be whole-time Members.

❖ **Duty of the Commission:**

- To eliminate practices having adverse effect on competition,
- Promote and sustain competition,
- Protect the interests of consumers and
- Ensure freedom of trade in the markets of India.
- Give opinion on competition issues on a reference received from a statutory authority
- Undertake competition advocacy,
- Create public awareness
- Impart training on competition issues

Competition Commission of India (CCI)

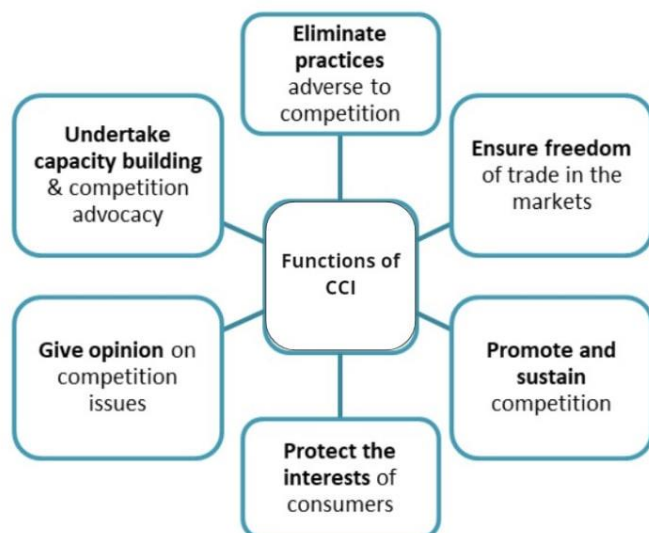


Why in news?

- The Competition Commission of India (CCI) imposed a penalty of ₹936.44 crore on Google for "abusing its dominant position with respect to its Play Store policies"

Competition Commission of India (CCI)

- It is a statutory body of the Government of India responsible for enforcing the Competition Act, 2002 and constituted in 2009.
- The commission is a quasi-judicial body which gives opinions to statutory authorities and also deals with other cases.
- Composition
 - The Chairperson and other Members shall be whole-time Members.
 - The Commission consists of one Chairperson and six Members



39. Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules (Amendments) 2021

In News

Government notifies Amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021.

Why the Amendments?

- For an Open, Safe & Trusted and Accountable Internet.
- Aimed at protecting the rights of Digital Nagriks.
- To enhances due diligence requirements
- To ensuring accountability of social media and other intermediaries.
- Various complaints regarding the action/inaction on the part of the intermediaries on user grievances.

What are the Amendments?

- The amendments impose a legal obligation on intermediaries to take reasonable efforts to prevent users from uploading of harmful/unlawful content.
- The communications should be done in regional Indian languages as well.
- The words 'defamatory' and 'libellous' are removed from rule 3(1)(b)(ii).
- Some of the content categories in rule 3(1)(b) have been rephrased to deal with misinformation.
- The intermediaries should respect the rights guaranteed to users under the Constitution.
- Grievance Appellate Committee will be established to allow users to appeal against the inaction of, or decisions taken by intermediaries on user complaints.
- It will ensure that the intermediary's obligation is not a mere formality.

40. Doctrine of Pleasure

What is the doctrine of pleasure?

- ❖ The pleasure doctrine is a concept derived from English common law

- The law states - the crown can dispense with the services of anyone in its employ at any time.

Doctrine of pleasure in India

❖ **Article 310** of the Constitution of India:

- It says every person in the defence or civil service of the Union holds office during the pleasure of the President
- Every member of the civil service in the States holds office during the pleasure of the Governor.

❖ **Article 311** of Indian Constitution:

- It imposes restrictions on the removal of a civil servant.
- It provides for civil servants being given a reasonable opportunity for a hearing on the charges against them.

❖ **Article 164:**

- The Chief Minister is appointed by the Governor
- The other Ministers are appointed by the Governor on the CM's advice.
- Ministers hold office during the pleasure of the Governor.

❖ In a constitutional scheme pleasure' referred to the right of the Chief Minister to dismiss a Minister, and not that of the Governor.

- Hence, the *Governor of an Indian State cannot remove a Minister on his own.*

41. First Amendment to the Indian Constitution

In News

The Supreme Court has agreed to examine a Public Interest Litigation challenging change made to the right to freedom of speech and expression by the first amendment to the Constitution in 1951.

The Constitution First Amendment Act, 1951

- ❖ The First Amendment was passed in 1951 by the Provisional Parliament, members of who had just finished drafting the Constitution as part of the Constitutional Assembly.
- ❖ The First Amendment Act **amended articles** 15, 19, 85, 87, 174, 176, 341, 342, 372 and 376.

- Added **three more grounds of restrictions on freedom of speech and expression** (Art 19): public order, friendly relations with foreign states and incitement to an offence. Also, it made the restrictions 'reasonable' and thus, justiciable in nature.
- Added Ninth Schedule to protect the land reforms and other laws included in it from the judicial review. After Article 31, Articles 31A and 31B were inserted.

Reasons for amendment:

- ❖ To remove certain practical difficulties created by the court's decision in several cases such as Kameshwar Singh Case, Romesh Thapar Case, etc.
- ❖ Issues involved in the cases included freedom of speech, acquisition of the Zamindari land, State monopoly of trade, etc

42. Rashtriya Ekta Diwas

In News

The Prime Minister of India paid homage to Sardar Patel at the Statue of Unity and participated in the Rashtriya Ekta Diwas-related events.

About National Unity Day

- ❖ Every year, October 31 is marked as National Unity Day or Rashtriya Ekta Diwas in India to observe Sardar Vallabhbhai Patel's birth anniversary.
 - The day is celebrated to mark the birth anniversary of Sardar Patel who had a major role in the political integration of India.
 - The celebration of the birth anniversary of Sardar Patel makes everyone aware of the ideas of strength and diversity of religions, languages, cultures, and traditions of our nation

About: Sardar Vallabhbhai Patel

- Born 31st October 1875 in Nadiad, Gujarat.
- Sardar Patel was the first Home Minister and Deputy Prime Minister of India.
- He is recognized as the real unifier of India for his colossal contribution to integrate and make India a united (Ek Bharat) and an independent nation.
- He is also remembered as the 'Patron saint of India's civil servants' as he established the modern all-India services system.

Role in Framing Constitution:

- He headed various Committees of the Constituent Assembly of India, namely:
- Advisory Committee on Fundamental Rights.
- Committee on Minorities and Tribal and Excluded Areas.
- Provincial Constitution Committee.

Major Contributions:

- He worked extensively against alcohol consumption, untouchability, caste discrimination and for women emancipation in Gujarat and outside.
- He integrated the farmer's cause in Kheda Satyagraha (1918) and Bardoli Satyagraha (1928) with the national freedom movement.
- Women of Bardoli bestowed the title 'Sardar' on Vallabhbhai Patel, which means 'a Chief or a Leader'.
- During the 1930 Salt Satyagraha, Sardar Patel served three months imprisonment.
- In March 1931 Patel presided over the Karachi session (46th session) of the Indian National Congress which was called upon to ratify the Gandhi-Irwin Pact.

Integration of the Princely States:

- He is known as the "Iron Man of India" for playing an important role in unification and integration of Indian princely states into the Indian federation and for convincing princely states to align with the Indian Union.
- Sardar Patel played a key role in the integration of about 565 princely states into the Indian Union.
- Sardar Vallabhbhai Patel stitched the princely states along with British Indian territory and prevented the balkanization of India.

❖ Death: 15th December 1950 in Bombay.

43. Scheduled Tribe status

In News

The National Commission for Scheduled Tribes (NCST) has cleared the way for the inclusion of the 'Pahari ethnic group' in the Scheduled Tribes list of the Union Territory of Jammu and Kashmir. Currently, Jammu and Kashmir has 12 communities that have been notified as STs.

About ST status

- The Constitution is silent about the criteria for specification of a community as a Scheduled Tribe.
- **Article 366(25)** of the Constitution, Scheduled Tribes are those communities that are scheduled in accordance with Article 342 of the Constitution.
- **Article 342** of the Constitution says that: The Scheduled Tribes are the tribes or tribal communities or part of or groups within these tribes and tribal communities which have been declared as such by the President through a public notification.
 - 342(1): The President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor, by a public notification, specify the tribes or tribal communities or part of or groups within tribes or tribal communities as Scheduled Tribe in relation to that State or Union Territory.
- The list of Scheduled Tribes is State/UT specific, and a community declared as a Scheduled Tribe in one State need not be so in another State.
- Primitiveness, geographical isolation, shyness and social, educational & economic backwardness are the traits that distinguish Scheduled Tribe communities from other communities.
- There are certain Scheduled Tribes, 75 in number known as **Particularly Vulnerable Tribal Groups (PVTGs)**, who are characterized by:
 - Pre-agriculture level of technology.
 - Stagnant or declining population.
 - Extremely low literacy.'
 - Subsistence level economy
- **Process of Inclusion in the ST List**

- The process to include tribes in the ST list begins with the recommendation from the respective State governments, which are then sent to the Tribal Affairs Ministry, which reviews and sends them to the Registrar General of India for approval.
- This is followed by the National Commission for Scheduled Tribes' approval before the list is sent to the Cabinet for a final decision

44. 103rd Constitutional Amendment

In News

The Supreme Court has upheld the validity of the 103rd Constitutional Amendment which provides 10% reservation for the Economically Weaker Sections (EWS) among forward castes in government jobs and colleges across India.

The 103rd Amendment

- ❖ The 103rd Amendment **inserted Articles 15(6) and 16(6)** in the Constitution **to provide up to 10 per cent reservation to EWS** *other than backward classes, SCs, and STs* in higher educational institutions and initial recruitment in government jobs.
 - The amendment empowered state governments to provide reservation on the basis of economic backwardness.
- ❖ Article 15 prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. Article 16 guarantees equal opportunity in matters of public employment. The new clauses gave Parliament the power to make special laws for EWS like it does for SCs, STs, and OBCs.
- ❖ It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for Scheduled Castes (SCs), Scheduled Tribes (STs) and Socially and Educationally Backward Classes (SEBC).
- ❖ The EWS reservation was granted based on the recommendations of a commission headed by Major General (retd) S R Sinho.

Criteria for EWS Status

- A person who was not covered under the scheme of reservation for SCs, STs, and OBCs, and whose family had a gross annual income below Rs 8 lakh, was to be identified as EWS for the benefit of reservation.

Current status of Reservation in India

- Reservation is provided to Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) at the rate of 15%, 7.5% and 27%, respectively, in case of direct recruitment on all India basis by open competition.
- 10% reservation under the Economically Weaker Section (EWS) category applies to those not covered under the existing scheme of reservations.

❖ Highlights of Recent SC Judgment

<i>In favor of 103rd Amendment Act</i>	<i>Against 103rd Amendment Act</i>
<ul style="list-style-type: none"> ● The EWS quota does not violate equality and the basic structure of the constitution. Reservation in addition to existing reservation does not violate provisions of the Constitution. ● Basic structure can't be breached by enabling the state to make provisions for education. ● Reservation is instrumental not just for inclusion of socially and economically backward classes into the society but also to class so disadvantaged. ● Reservations for EWS does not violate basic structure on account of 50% ceiling limit fixed by Mandal Commission because ceiling limit is not inflexible. ● The Scheduled Castes, Scheduled Tribes and the backward class for whom the special provisions have already been provided in Article 15(4), 15(5) and 16(4) form a separate category as distinguished from the general or unreserved category. 	<ul style="list-style-type: none"> ● Reservations were designed as a powerful tool to enable equal access. Introduction of economic criteria and excluding SC (Scheduled Castes), ST (Scheduled Tribe), OBC (Other Backward Classes), saying they had these pre-existing benefits is injustice. ● The EWS quota may have a reparative mechanism to have a level playing field and the exclusion of SC, ST, OBC discriminates against equality code and violates basic structure. ● Permitting the breach of 50% ceiling limit would become "a gateway for further infractions and result in compartmentalization (division into sections). ● An economic quota is justified for accessing public goods including subsidies (Article 15), it can't be extended to reservation (Article 16), which seeks representation of the community.

45. The National Population Register (NPR)

In News

Union Home Ministry said in its 2021-22 annual report ,there is a need to update the National Population Register (NPR) again to incorporate the changes due to birth, death

and migration for which demographic and other particulars of each family and individual are to be collected.

About the National Population Register (NPR)

- *The NPR is a database containing a list of all usual residents of the country.*
 - Its objective is to have a comprehensive identity database of people residing in the country.
- A **usual resident** for the purposes of NPR is *a person who has resided in a place for six months or more, and intends to reside there for another six months or more.*
- It is generated through house-to-house enumeration during the “house-listing” phase of the census, which is held once in 10 years. The last census was in 2011.
- Once the basic details of the head of the family are taken by the enumerator, an acknowledgement slip will be issued. This slip may be required for enrolment in NPR, whenever that process begins.
- **Population Register** :once the details are recorded in every local (village or ward), sub-district (tehsil or taluk), district and State level, there will be a population register at each of these levels. Together, they constitute the National Population Register.
- The NPR was first collected in 2010 and then updated in 2015.
- The NPR is prepared under the provisions of the Citizenship Act 1955 and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.
- It is mandatory for every “usual resident of India” to register in the NPR.

Difference between NPR & census:

- The census involves a detailed questionnaire.
- There were 29 items to be filled up in the 2011 census aimed at eliciting the particulars of every person, including age, sex, marital status, children, occupation, birthplace, mother tongue, religion, disability and whether they belonged to any Scheduled Caste or Scheduled Tribe.
- On the other hand, the NPR collects basic demographic data and biometric particulars
- While the census is legally backed by the Census Act, 1948, the NPR is a mechanism outlined in a set of rules framed under the Citizenship Act, 1955.

46. Electoral Bond Scheme

In News

Electoral Bonds Scheme Amended To Allow Sale for Additional 15 Days in the year of general elections to the Legislative Assembly of States and Union Territories with Legislature.

About The Scheme

- Electoral Bonds Scheme was launched in 2018 to to cleanse the political funding in India.
 - The central idea behind the electoral bonds scheme is to bring about transparency in electoral funding in India.
- *Electoral bonds are money instruments like promissory notes, which can be bought by companies and individuals in India from the State Bank of India (SBI) and donated to a political party, which can then encash these bonds.*
 - Electoral bond is issued/purchased for any value in multiples of Rs.1,000, Rs.10,000, Rs.1,00,000, Rs.10,00,000 and Rs.1,00,00,000 from the specified branches of the State Bank of India.
 - The bonds are only redeemable in the designated account of a registered political party.
- **Eligibility** : *Only the political parties registered under Section 29A of the Representation of the People Act, 1951 which secured at least 1% of votes polled in the last General Election to the Lok Sabha or the State Legislative Assembly are eligible to receive Electoral Bonds.*
- The bonds under this scheme are usually made available for purchase by any person for a period of ten days each in the months of January, April, July and October, when specified by the Union government
 - An additional period of 30 days, however, could be specified by the Centre in years of general elections to the House of People or the Lok Sabha.

The Amendment

- Introduced a new para, stating that an additional period of fifteen days shall be specified by the Central Government in the year of general elections to the Legislative Assembly of States and Union territories with Legislature.

47. Gram Nyayalayas

About Gram Nyayalayas

- Gram Nyayalayas were established in 2009 by the Law Ministry with the intention of providing a cost-effective arena at the grass-roots level for the underprivileged living in villages to settle legal disputes.
- Gram Nyayalayas was established by the Gram Nyayalayas Act, 2008.
- The Act came into force on October 2, 2009, the birth anniversary of Mahatma Gandhi.

Features of Gram Nyayalayas Act, 2008

- The Gram Nyayalaya shall be established for every panchayat and intermediate level.
- The Gram Nyayalaya shall be guided by the principles of natural justice and subject to any rule made by the High court.
- **Nyayadhikari** :The State Government shall, in consultation with the High Court, appoint a Nyayadhikari for every Gram Nyayalaya.
 - **Qualifications**: A person shall not be qualified to be appointed as a Nyayadhikari unless he is eligible to be appointed as a Judicial Magistrate of the first class.
 - The salary and other allowances payable to, and the other terms and conditions of service of, a Nyayadhikari shall be such as may be applicable to the Judicial Magistrate of the first class.
 - Nyayadhikari shall periodically visit the villages falling under his jurisdiction to hold mobile courts and conduct proceedings in villages.

Jurisdiction of Gram Nyayalayas

- A Gram Nyayalaya can try only certain cases on the criminal and civil sides, as provided in the Schedules to the Act.
- The Gram Nyayalaya shall be a mobile court and shall exercise the powers of both Criminal and Civil courts.
- The Gram Nyayalayas shall try criminal cases, civil suits, claims or disputes which are specified in the First Schedule and the Second Schedule to the Act.
- The Gram Nyayalaya shall follow the summary procedure in the criminal trials.

Appeal

- The appeal in civil matters shall lie to the District Court, which shall be heard and disposed of within six months from the date of filing of the appeal.
- In criminal proceedings, an appeal must be filed with the Court of Session, which must hear and decide the case within six months of the date of filing.

48. GST Tribunal

In News

GST Tribunal should be completely paperless: Supreme Court to Centre.

The first level of Appeal

- Appellate Authority is the first level of appeal.
 - The GST Tribunal is the second level of appeal.
- A person who is aggrieved by a decision of adjudicating authority, can file an appeal to the Appellate Authority (AA).

About the Appellate Authority (AA)

- The AA has to follow the principles of natural justice:
 - Hearing the appellant
 - Allowing reasonable adjournments (not more than 3)
 - Permitting additional grounds (if found reasonable)
- The AA will pass order which may confirm, modify or annul the decision or order appealed against.
- It shall not refer the case back to the authority that passed the said decision or order.

About the Tribunal

- The GST Tribunal is a two tier Tribunal.
- It has National Bench/Regional Benches and the State Bench/ Area Benches.
- An appeal from the decision of the National Bench will lie directly to the Supreme Court and an appeal from the decision of the State Bench will lie to the jurisdictional High Court



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I owe the largest share of my success to the tireless and constant support of the Enlite IAS academy team. Being part of such a committed group of Individuals has truly been an enriching and rewarding experience. I am deeply indebted to Mahesh sir and Abhilash sir, both of whom exemplify the true spirit of Enlite. They have been pillars of support throughout the entire process, helping me navigate and overcome every obstacle that this journey has thrown at me.

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I joined Enlite PCM batch in 2018 and since then the institute has guided me throughout my journey. Be it the classes, mentorship sessions, mocks, Interview guidance or peer group discussions, Enlite IAS has translated my efforts to the maximum output possible. Special thanks to Mahesh sir, Abhilash sir and Abu sir for all the help.

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Team Enlite has played a quintessential role in helping me clear the Civil Services Examination. The mentorship under Mahesh Sir throughout all the stages of the exam is something I owe my success largely to. Quality guidance from faculties like Abu Sir and Abhilash Sir was helpful in improving my overall performance as well. Thank you Team Enlite!

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I attended philosophy optional enrichment program @ ENLITE IAS. The unique insights I got during the course played a vital role in my success in the civil service examination. Also 90% of the questions in the exam directly appeared from the class room sessions. It helped in tuning my Interview preparation to an optimum level.

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- Appeal to the Tribunal by the aggrieved person is to be filed within 3 months from the communication of the order under appeal.
- Tribunal has the power to condone delay on being satisfied that there is sufficient cause for the delay.

49. Tribal Development Report 2022

In News

Recently, the Tribal Development Report 2022 was launched by the Bharat Rural Livelihood Foundation (BRLF), which claims to be the first of its kind since 1947.

The BRLF was set up by the Union Cabinet in 2013 as an independent society under the Union Ministry of Rural Development to scale up civil society action in partnership with central and state governments.

Findings of the Report

❖ Tribal Population:

- India's tribal communities form 8.6% of the country's population according to the 2011 Census. But they are at the bottom of the country's development pyramid even after 75 years of independence.
- Central India is home to 80% of the tribal communities in the country.
- Of the 257 Scheduled Tribe districts, 230 (90%) are either forested or hilly or dry. But they account for 80 % of India's tribal population.

❖ Tribals are most Deprived:

- Be it sanitation, education, nutrition, access to drinking water and education, despite 70 years of independence, Adivasis are the most deprived.

❖ Disturbances and Conflict in Tribal Regions:

- Tribal areas are also areas that have faced a lot of disturbance and conflict. This is one of the reasons why many government welfare schemes and policies are unable to take off in these areas. Distress in the area affects both sides.

❖ Pushed into Harshesht Ecological Regions:

- The report stated that indigenous communities of India have been pushed farther away from alluvial plains and fertile river basins into the harshesht ecological regions of the country like hills, forests, and drylands.

Forest Conservation Act in 1980:

- After the enactment of the Forest Conservation Act in 1980, the conflict came to be seen as between environmental protection and the needs of local Adivasi communities, driving a wedge between people and forests.
- It was in the National Forest Policy of 1988 that domestic requirements of local people were explicitly recognised for the very first time.
- The Policy emphasised safeguarding their customary rights and closely associating Adivasis in the protection of forests. But the movement towards a people-oriented perspective has not been matched by reality on the ground.

Suggestions of Report

- It is important to understand the special characteristics of tribal communities to frame policies for them.
- There are many tribal communities that prefer isolation and silence. They are shy and are not going to reach out to the outside world on their own. Policy makers and leaders of the country need to understand this trait and then work towards the welfare of Adivasis so that they connect with them in a better way.

50. Wild Life (Protection) Amendment Bill, 2022

In News

The Rajya Sabha passed the Wild Life (Protection) Amendment Bill, 2022 which seeks to give effect to India's obligations under the **Convention on International Trade on Endangered Species of Wild Fauna and Flora ('CITES')**. Lok Sabha had cleared the legislation in August during the Monsoon Session.

Key Highlights of the Bill

❖ Provides much more power at the hands of the Central Government:

- The central government can designate a Management Authority, which grants export or import permits for the trade of specimens.
- Central Government can regulate or prohibit the import, trade, possession or proliferation of invasive alien species (plant or animal species which are not native to India and whose introduction may adversely impact wildlife or its habitat)
- The central government may also notify a conservation reserve (typically act as buffer zones to or connectors and migration corridors between established national parks, and wildlife sanctuaries)

- Implement the provisions of the CITES :This amendment proposed a new schedule for species listed in the Appendices under CITES.
- ❖ **Reduces the number of schedules from Six (currently) to Four now:** The new bill removes the schedule for vermin species
 - Schedule I: Animal species that will enjoy the highest level of protection
 - Schedule II: Animal species that will be subject to a lesser degree of protection
 - Schedule III: Protected Plant species
 - Schedule IV: Specimens listed in the Appendices under CITES (scheduled specimens)
- ❖ **Control of Sanctuaries to Chief Wildlife warden:** The Act entrusts the Chief Wildlife Warden to control, manage and maintain all sanctuaries in a state. The Chief Wildlife Warden is appointed by the state
- ❖ **Registration certificate for live specimens of scheduled animals:** People possessing live specimens of scheduled animals must obtain a registration certificate from the Management Authority.
- ❖ **Voluntary surrender of captive animals:** The bill provides for any person to voluntarily surrender any captive animals, without any compensation and consequent authority over the animal)
- ❖ **Exception for 'live elephant':** The Bill allows for Commercial Trade In Live Elephants. The Bill, therefore, allows for commercial trade in elephants
 - This is contrary to the previous act (Wildlife (Protection) Act, 1972) which specifically prohibits trade in Wild Animals including captive and wild elephants.
- ❖ **Increases the Penalties:** For General violation (increases to Rs 1,00,000 from Rs25,000) and for specially protected animals (increases to 25,000 from Rs 10,000)
- ❖ **Wild Life (Protection) Act, 1972**
 - The Wild Life (Protection) Act, 1972 provides a legal framework for the protection of various species of wild animals and plants, management of their habitats, regulation and control of trade in wild animals, plants and products made from them.
 - The act also lists schedules of plants and animals that are afforded various degrees of protection and monitoring by the government.

❖ **CITES- Convention on International Trade in Endangered Species of Wild Fauna and Flora**

- The CITES is an international agreement to which States and regional economic integration organizations adhere voluntarily.
- CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of the International Union for Conservation of Nature (IUCN).
- CITES entered into force in July 1975.
- The CITES Secretariat is administered by UNEP (The United Nations Environment Programme) and is located at Geneva, Switzerland.
- India is a signatory to the CITES.

51. Recognition of National or State Party

In News

Recently, the Aam Aadmi Party (AAP) recognised as a national party by the Election Commission of India (ECI).

Criteria for recognition as a National Party:

- The ECI has laid down the technical criterion for a party to be recognised as a national party.
- **A party may gain or lose national party status from time to time, depending on the fulfillment of these laid-down conditions.**
 - A political party would be considered a national party if:
 - It is 'recognised' in four or more states; or
 - If its candidates polled at least 6% of total valid votes in any four or more states in the last Lok Sabha or Assembly elections and has at least four MPs in the last Lok Sabha polls; or
 - If it has won at least 2% of the total seats in the Lok Sabha from not less than three states.
- **To be recognised as a state party, a party needs:**
 - At least 6% vote-share in the last Assembly election and have at least 2 MLAs; or
 - have 6% vote-share in the last Lok Sabha elections from that state and at least one MP from that state; or

- At least 3% of the total number of seats or three seats, whichever is more, in the last Assembly elections; or
 - At least one MP for every 25 members or any fraction allotted to the state in the Lok Sabha; or
 - Have at least 8% of the total valid votes in the last Assembly election or Lok Sabha election from the state.
 - State includes the National Capital Territory of Delhi and the Union Territory of Pondicherry.
- Election Commission (EC) has amended its rules, whereby it will review the national and state party status of political parties every ten years instead of the five years.
- Present national parties
- As of now, the ECI has recognised six parties as national parties — BJP, Congress, CPI(M), Bahujan Samaj Party (BSP), National People's Party (NPP) and the AAP.

52. Ladakh's demand of Sixth Schedule

In News

Several political groups in Ladakh have been demanding that land, employment, and the cultural identity of Ladakh, should be protected under the Sixth Schedule.

Sixth Schedule

- The Sixth Schedule under Article 244 provides for the formation of autonomous administrative divisions — Autonomous District Councils (ADCs) — that have some legislative, judicial, and administrative autonomy within a state.
- The Sixth Schedule applies to the Northeastern states of Assam, Meghalaya, Mizoram (three Councils each), and Tripura (one Council).

❖ About ADCs:

- ADCs have up to 30 members with a term of five years.
- They can make laws, rules and regulations with regard to land, forest, water, agriculture, village councils, health, sanitation, village- and town-level policing, inheritance, marriage and divorce, social customs and mining, etc.
- Exception: The Bodoland Territorial Council in Assam is an exception with more than 40 members and the right to make laws on 39 issues.

53. Sino-India clash at Yangtse

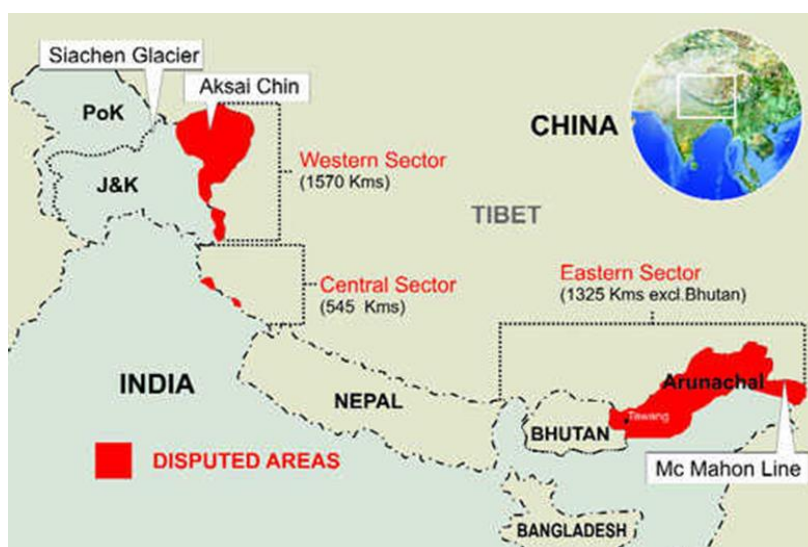
In News

Recently the Chinese troops unilaterally tried to alter the status quo on the Line of Actual Control (LAC) in Arunachal Pradesh

Location of Clash:

- Soldiers of the two sides clashed in an area called Yangtse, in the upper reaches of Tawang sector in Arunachal Pradesh.

❖ **Areas of dispute between India & China**



❖ **The Western sector:**

- India shares a 2152 km long border with China, and territorial disputes over Aksai Chin region of Jammu and Kashmir, with both countries claiming the region as their own.
- The recent dispute is around the region of the northern bank of Pangong Tso lake, Demchok and the Galwan Valley.

❖ **The middle sector:**

- India roughly shares about a 625 km long boundary with China with a few minor disputes regarding Tibet.

❖ **The Eastern Sector:**

- India shares a 1,140 km long boundary with China and this boundary line is called McMahon Line.

- The major dispute here is around the region of Tawang Valley of Arunachal Pradesh, Chumbi Valley (Dokalam Tri-Junction) which India shares with Bhutan.

54. National Judicial Data Grid (NJDG)

In News

The Minister of Law and Justice, Shri Kiren Rijiju in a written reply to a question in the Lok Sabha informed about the National Judicial Data Grid (NJDG).

What is the need of NJDC?

- Department of Justice has requested to use eFiling in all commercial disputes coming up in the commercial courts.
- The eCommittee of the Supreme Court instructed all High Courts to ensure that all Government litigation should be e-filed.
- Department of Justice has requested Department of Legal Affairs (DoLA) to advise all Central Ministries/ Departments to use eFiling in all Government litigation.
- To ensure a smooth process of e-filing of cases model rules for e-filing of cases have been prepared by Supreme Court of India.

About NJDC

- National Judicial Data Grid (NJDG) is a database of orders, judgments and case details of connected District & Subordinate Courts and High Courts.
- It is as an online platform on which data is updated on a near real-time basis.
- NJDG works as a monitoring tool to identify, manage & reduce pendency of cases.
- It facilitates better monitoring of court performance and systemic bottlenecks, and serves as an efficient resource management tool.
- NJDG can be used for effective court management and case management for reducing the caseload.
- Now NJDG is under trial and testing stage for making Supreme Court data available in public domain.

55. National Food Security Act (NFSA)

In News

81 crore people to get free food grains for one year.

About the Act

- It aims to provide subsidized food grains to approximately two thirds of the country's 1.2 billion people.

Salient Features of NFSA

- Public Distribution System (PDS) is governed by provisions of the National Food Security Act, 2013 (NFSA).
- Coverage under PDS is de-linked from the erstwhile 'poverty estimates'.
- The Act provides coverage for nearly 2/3rd of the country's total population, basis Census 2011 population estimates.
- 75% of Rural and 50% of Urban population is entitled to receive highly subsidised foodgrains under two categories of beneficiaries – Antodaya Anna Yojana (AAY) households and Priority Households (PHH).
- State/UT-wise coverage is determined by the erstwhile Planning Commission (now NITI Ayog) on the basis of 2011-12 Household Consumption Expenditure survey of NSSO.
- The Act entitles 35 kg of foodgrains per AAY Household per month, whereas 5 Kg of foodgrain per PHH Person per month.
- Identification of beneficiaries/households under NFSA is done by respective State/UT Government, which is required to frame its own criteria.
- Highly subsidised Central Issue Prices of Re.1, Rs.2 and Rs.3 for Coarse-grains, Wheat and Rice respectively, kept unchanged till June 2019.
- Eldest woman of the beneficiary household (18 years or above) is considered as 'Head of Family' for the purpose of issuing ration cards.
- Grievance redressal mechanism, through State Food Commissions, DGROs, Vigilance Committees at different levels are provisioned for Women Empowerment.
- Provisions for disclosure of records relating to PDS operations, placing of beneficiaries' list in public domain/portals, for enhanced transparency

- Assistance to States/UTs for meeting expenditure on intra-State transportation & handling of foodgrains and FPS Dealers' margin.

Recent Development

- The Union Cabinet decided to provide free foodgrains to all 81 crore beneficiaries covered under the NFSA for one year.

56. National Commission for Protection of Child Rights (NCPCR)

In News

NCPCR warns NGOs over depiction of vulnerable children for fundraising

About NCPCR

- National Commission for Protection of Child Rights (NCPCR) was established in 2007
- It is under the Commission for Protection of Child Rights Act, 2005.
- **Ministry:** Ministry of Women and Child Development.
- **The commission consist of the following members** - A chairperson and Six members, out of which at least two are woman.
- **Mandate:** To ensure that all laws, policies, programs and administrative systems conform to the vision of the rights of the child as enunciated in the Constitution of India as well as the United Nations Convention on the Rights of the Child.
 - It works in consonance with the Child Rights perspective as enshrined in the Constitution of India and the UN Convention on the Rights of the Child.
- NCPCR has developed and launched the portal GHAR - Go Home and Reunite, with the sole purpose of restoration and repatriation of children.

Recent Development

- NCPCR issuing a directive to NGOs to not depict vulnerable children for fundraising activities.
- NCPCR asked NGOs to refrain from such depiction as it amounted to a violation of the Juvenile Justice Act, 2015.

57. Triple Test Survey

In News

As courts insist on triple-test rule for OBC quota in polls, State governments push back.

About the Triple Test Survey

❖ *The triple test requires the government to complete three tasks for finalisation of reservation to OBCs in the local bodies.*

➤ The triple test/conditions were outlined by the Supreme Court in the case of *Vikas Kishanrao Gawali vs. State of Maharashtra and others.*

❖ **It include:**

➤ Set up a dedicated commission to conduct a rigorous empirical inquiry into the nature and implications of the backwardness in local bodies.

➤ Specify the proportion of reservation required in local bodies in light of recommendations of the commission, so as not to fall foul of overbreadth.

➤ Ensure reservation for SCs/STs/OBCs taken together does not exceed an aggregate of 50 per cent of the total seats.

58. Delimitation

➤ Delimitation is the act of redrawing boundaries of Lok Sabha and state Assembly seats to represent changes in population.

➤ The main objective of delimitation is to provide equal representation to equal segments of a population

Who carries out delimitation?

➤ Delimitation is carried out by an independent **Delimitation Commission**, appointed by the Government of India under provisions of the *Delimitation Commission Act*.

➤ The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India.

It is composed of the following:

➤ A retired Supreme Court judge

➤ The Chief Election Commissioner of India and

- Respective State Election Commissioners.
- ❖ The Constitution mandates that the Commission's orders are final and cannot be questioned before any court
- ❖ The Commission is also tasked with identifying seats reserved for Scheduled Castes and Scheduled Tribes.

Constitutional Provisions:

- **Article 82:** This provides the Parliament with the authority to enact a Delimitation Act after every Census.
- **Article 170:** This provides for the States to get divided into territorial constituencies as per the Delimitation Act after every Census.

Previous Delimitation Exercises

- ❖ In the history of the Indian republic, Delimitation Commissions have been set up four times —
 - In 1952 under the Delimitation Commission Act, 1952
 - In 1963 under Delimitation Commission Act, 1962
 - In 1973 under Delimitation Act, 1972
 - In 2002 under Delimitation Act, 2002
 - There was no delimitation after the 1981, 1991 and 2001 Censuses.
 - The last delimitation exercise that changed the state-wise composition of the Lok Sabha was completed in 1976 and done on the basis of the 1971 census
 - The 2002 Act did not make any changes in total Lok Sabha seats or their apportionment between various states. It also left out a few states including Assam, Arunachal Pradesh, Nagaland and Manipur from the exercise due to “security risks.”

59. Higher Education Financing Agency (HEFA)

In News

HEFA has sanctioned 144 loans worth Rs 35,000 crore so far, falling short of the government's target of mobilising Rs 1 lakh crore by 2022

About Higher Education Financing Agency (HEFA):

- ❖ HEFA was set up by the Centre in 2017 to upgrade the education infrastructure in the higher education institutions under the Government of India.
- ❖ HEFA, which was set up as a non-profit Non-Banking Financing Company (NBFC), is a joint venture between the Union Ministry of Education and the Canara Bank to finance infrastructure development in educational institutions through long-term loans.
 - While the premium is paid by the institute, interest is paid by the government.
 - The government expanded the scope of HEFA in 2018 under the Revitalizing Infrastructure and Systems in Education or RISE by 2022 initiative, bringing schools and medical colleges under its ambit, and making it the nodal body in infrastructure financing in the education sector.

60. Aspirational Blocks Programme

In News

PM launched Aspirational Blocks Programme (ABP).

Aspirational Blocks Programme

- A development initiative aimed at improving the performance of areas that are lagging on various development parameters.
- It will initially cover 500 districts across 31 states and Union Territories, with over half of these blocks located in six states – Uttar Pradesh, Bihar, Madhya Pradesh, Jharkhand, Odisha and West Bengal.
- The ABP is based on the Aspirational District Programme (ADP).

Aspirational District Programme

- Launched in 2018 : aims to transform districts that have shown relatively lesser progress in key social areas.
- Aspirational Districts are those districts in India, that are affected by poor socio-economic indicators.
- It covers 112 districts across the country.
- At Government of India level, programme is anchored by NITI Aayog. In addition, individual Ministries have assumed responsibility to drive progress of districts.
- Broad Contours of the Programme:
 - Convergence (of Central & State Schemes)

- Collaboration (of Central, State level 'Prabhari' Officers & District Collectors),
- Competition among districts through monthly delta ranking.

61. Pravasi Bharatiya Divas (PBD)

In News

17th Pravasi Bharatiya Divas (PBD) celebrated to mark the contribution of the Overseas Indian community to the development of India.

Pravasi Bharatiya Diwas

- 9th January was chosen as the day to celebrate PBD since it was on this day in 1915 that Mahatma Gandhi, the greatest Pravasi, returned to India from South Africa, led India's freedom struggle and changed the lives of Indians forever.
- Now PBD Conventions are held once every two years.
- PBD 2023: The theme is "*Diaspora: Reliable partners for India's progress in Amrit Kaal*".
- On this day, the Government also confers Pravasi Bharatiya Samman Award.
- It is the highest honour conferred on a Non-Resident Indian (NRI), Person of Indian Origin (PIO); or an organisation or institution established and run by NRI OR PIO, who have made significant contributions to a better understanding of India abroad, support India's causes and concerns in a tangible way.

62. Delegated Legislation

In News

The majority ruling of the Supreme Court upheld the validity of the delegated legislation in the Centre's 2016 decision on demonetisation

About

- ❖ ***Delegated legislation' refers to the exercising of legislative power by an agent who is lower in rank to the Legislature, or who is subordinate to the Legislature.***
- Since the Parliament cannot deal with every aspect of the governance system by themselves, they delegate these functions to the authorities established by law.
- This delegation is noted in statutes, commonly called delegated legislations.
- The delegated legislation would specify operational details, giving power to those executing the details.

- Regulations and by-laws under the legislation are classic examples of delegated legislation.
- ❖ The Supreme Court in a 1973 ruling held that the concept of delegated legislation has evolved out of practical necessity and pragmatic needs of a modern welfare State.
- ❖ Delegation of power in Demonetisation: Section 26(2) of the Reserve Bank of India Act, 1934 essentially gives powers to the Centre to notify that a particular denomination of currency ceases to be legal tender.

63. Securities Appellate Tribunal (SAT)

In News

SAT gives relief to NSE in co-location case of 2019.

About SAT

- **Securities Appellate Tribunal** is a statutory body established under the provisions of Section 15K of the Securities and Exchange Board of India Act, 1992.

Functions of SAT:

- It is where orders passed by the SEBI are appealed, heard and resolved or by an adjudicating officer under the Act.
- It exercise jurisdiction, powers and authority conferred on the Tribunal by or under the SEBI Act or any other law.
- It hears and disposes of appeals against orders passed by the Pension Fund Regulatory and Development Authority (PFRDA) under the PFRDA Act, 2013.
- It hears and disposes of appeals against orders passed by the Insurance Regulatory Development Authority of India (IRDAI) under the Insurance Act, 1938.
- ❖ SAT consists of one Presiding Officer and Judicial and Technical Members as the Central Government may determine.

Tenure:

- ❖ The tenure for Presiding Officer or the Judicial or Technical Member will be five years from the date of appointment.
- ❖ They shall be eligible for re-appointment for another term of maximum five years.

- ❖ The Securities Appellate Tribunal shall have the same powers as vested in a civil court under the code of civil procedure.

Recent Issues

- SEBI had penalised NSE with an amount of nearly ₹11 billion rupees for illegal gains.
- SAT set aside the ruling by the markets regulator against the NSE.
- The tribunal ordered the NSE to pay the ₹1-billion penalty for system lapses.

64. Contesting Two Seats in one Poll

In News

The Supreme Court rejected a petition to bar candidates from contesting from more than one constituency in the general or assembly elections.

Provisions Related to Twin Candidature

- ❖ **Section 33(7) of the Representation of People Act (RPA)** permits a candidate to contest any election (parliamentary, state assembly, biennial council, or by-elections) from up to two constituencies.
 - The provision was introduced in 1996 prior to which there was no bar on the number of constituencies from which a candidate could contest.

65. Aldermen

In News

The Supreme Court said the Constitution does not allow nominated members (aldermen) of a municipality the right to vote in meetings.

About Aldermen

- ❖ “Alderman” refers to a member of a city council or municipal body, with exact responsibilities depending on the location of its usage. It is derived from Old English.

Indian Context

- As per the Delhi Municipal Corporation Act, 1957, ten people, over the age of 25 can be nominated to the corporation by the administrator (the Lieutenant Governor).
- These people are expected to have special knowledge or experience in municipal administration.

- They are meant to assist the house in taking decisions of public importance

66. Expunging in Parliament

In News

A portion of a speech delivered by the opposition leader in the Lok Sabha were expunged from the records of Parliament

About Expunging

- ❖ **Article 105(2)** of the Indian Constitution, Members of Parliament enjoy immunity from court proceedings for their statements in Parliament.
 - However, their speeches are subject to the discipline of the Rules of Parliament, the "good sense" of its Members, and the control of proceedings by the Speaker.
- ❖ **Rule 380 of the Rules of Procedure and Conduct of Business in Lok Sabha** gives the Speaker the discretion to expunge any words or expressions used in debate that are considered defamatory, indecent, unparliamentary, or undignified.
 - The expunged portions cease to exist in the records of Parliament and cannot be reported by media houses

Unparliamentary Expressions

- The Lok Sabha Secretariat prepares a book of 'Unparliamentary Expressions' containing words or expressions that would likely be considered rude or offensive in most cultures.
- The Presiding Officers - Speaker of Lok Sabha and Chairperson of Rajya Sabha have the job of keeping such words out of Parliament's record

67. Joint Parliamentary Committee (JPC)

In News

Demands for JPC probe on Adani issue.

About JPC

- A Joint Parliamentary Committee (JPC) is an ad-hoc body.
- It is set up for a specific object and duration.
- In a JPC the number of Lok Sabha members are double compared to Rajya Sabha.

- JPC recommendations have persuasive value but the committee cannot force the government to take any action on the basis of its report.
- The committees then submit 'Action Taken Reports' in Parliament on the basis of the government's reply.

Formation of JPC

- Joint Parliamentary Committee is formed when motion is adopted by one house and it is supported or agreed by the other house.
- The two presiding chiefs of both houses can communicate with each other and form the joint parliamentary committee.
- The details regarding membership and subjects are also decided by Parliament.
- The mandate of a JPC depends on the motion constituting it. This need not be limited to the scrutiny of government finances.

Major JPCs

- Major JPCs have been formed to investigate significant issues that have caused controversy.
 - Joint Committee on Bofors Contracts
 - Joint Committee to enquire into irregularities in securities and banking transactions
 - Joint Committee on stock-market scam
 - Joint Committee on pesticide residues in and safety standards for soft drinks.

68. Law Commission of India

In News

Cabinet approves the extension of the term of the Twenty-second Law Commission of India.

About Law Commission

- The Law Commission of India is constituted by the Government of India from time to time.
- The Commission was originally constituted in 1955 and is re-constituted from time to time.

- It is a non-statutory body.
- It contribution towards the progressive development and codification of Law of the country.
- The Law Commission has so far submitted 277 Reports.

It consists of:

- A full-time Chairperson
- Four full-time Members (including Member-Secretary)
- Secretary, Department of Legal Affairs as ex-officio Member
- Secretary, Legislative Department as ex officio Member
- Not more than five part-time Members.

Responsibilities of Law Commission

- It identify laws which are no longer relevant and recommending for the repeal of obsolete and unnecessary enactments.
- It suggest enactment of new legislations as may be necessary to implement the Directive Principles.
- It convey to the Government its views on any subject relating to law and judicial administration.
- It Consider the requests for providing research to any foreign countries.
- It perform other functions as may be assigned to it by the Central Government

Law Commission of India

Why in news?

- The Union Cabinet recently extended the term of the 22nd Law Commission by one-and-a-half years.

Law Commission of India

- History:
 - The first Law Commission was established during the British Raj era in 1834 by the Charter Act of 1833 and was chaired by Lord Macaulay.
 - In 1955, the first independent Law Commission was created.
- The Law Commission of India is a non-statutory body constituted by the Government of India from time to time.
- Ministry - Ministry of Law and Justice
- Objective: To carry out research in the field of law and makes recommendations to the Government (in the form of Reports) as per its terms of reference.



- The commission's recommendations are not binding on the Government.
- The commission consists of legal experts and is headed by a retired judge.
- The Commission is constituted for a fixed tenure.

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69. Safe Harbour Clause

In News

The Indian government is planning to introduce a Digital India Bill as a replacement for the decades-old Information Technology Act, of 2000. It may replace or modify the safe harbour provision given to intermediaries.

The Safe Harbour Clause

- ❖ *The “safe harbour” provision in the Information Technology (IT) Act refers to legal protection for Internet service providers (ISPs) and other intermediaries.*
- ❖ Under Section 79 of the IT Act, ISPs and other intermediaries are not held responsible for any third-party(user) content that they host or transmit on behalf of others, as long as they comply with certain conditions. These conditions include:
 - They must not initiate the transmission of the content
 - They must not select or modify the content
 - They must observe due diligence in the operation of their services
 - They must remove or disable access to the content upon receiving actual knowledge or notification of the content’s illegality
- ❖ The safe harbour provision is intended to encourage the growth of the Internet and e-commerce by providing legal certainty for intermediaries that enable the flow of

information and services online, while still holding them accountable for illegal content if they have actual knowledge of it

70. Operation Trishul

In News

Central Bureau of Investigation (CBI) has extradited 33 fugitives involved in various criminal activities under its '*Operation Trishul*' since 2022.

About

- Under 'Trishul', CBI geolocates criminals with help of Interpol channels and seeks their deportation or extradition through formal route.
- It utilizes Interpol's Star Global Focal Point Network, analysis of financial crime files and using Interpol's channels to identify dispersal of proceeds of crime.
- It includes not just tracing suspects, but also tracing the proceeds of financial crimes

71. Compassionate Appointment (CA)

In News

Supreme Court in a recent judgement held that compassionate appointment is not a vested right of dependents of a deceased employee.

About

- ❖ Concept of compassionate appointment can be traced to **Article 39 (right to livelihood)**, which is under Directive Principles of State Policy.
 - It aims to provide employment on compassionate grounds to dependent family members of a government servant who dies in harness or retires on medical grounds, leaving the family without any source of sustenance.
- ❖ CA are made by either Joint Secretary in charge of administration in Ministry or Department concerned or Head of Department in case of attached and subordinate offices.
 - They can also be made by Secretary of a Ministry or Department in special cases.

72. Bar Council of India (BCI)

In News

Foreign lawyers, firms can operate in India: BCI.

About BCI

- The BCI, a statutory body governing legal practice in India.
- The Bar Council of India was established by Parliament under the Advocates Act, 1961.
- Act covers the Bar Council's regulatory and representative mandate for the legal profession and legal education in India.

Functions of BCI

- It perform the regulatory function by prescribing standards of professional conduct and etiquette and by exercising disciplinary jurisdiction over the bar.
- It sets standards for legal education and grants recognition to Universities whose degree in law will serve as qualification for enrolment as an advocate.
- It perform certain representative functions by protecting the rights, privileges and interests of advocates.

About foreign lawyers and law firms in India

- The BCI has opened up law practice in India to foreign lawyers and law firms.
- BCI has framed the 'Bar Council of India Rules for Registration of Foreign Lawyers and Foreign Law Firms in India, 2021'.
- This enables foreign lawyers and law firms "to practice foreign law, diverse international law and international arbitration matters in India."
 - However, it did not allow them to appear before courts, tribunals or other statutory or regulatory authorities.
 - They shall be allowed to practice transactional work /corporate work (Non-Litigious Practice) such as joint ventures, mergers and acquisitions, Intellectual Property matters, drafting of contracts and other related matters on a reciprocal basis.
 - They shall not be involved or permitted to do any work pertaining to the conveyancing of property, title investigation or other similar works.

- Indian lawyers working with foreign law firms will also be subject to the same restriction of engaging only in “Non-Litigious Practice.”
- The foreign lawyers and firms would not be entitled to practice law in India without registration with the BCI.

73. Enemy Properties

In News

Government starts process of eviction and sale of 'enemy properties' worth over Rs 1 lakh crore.

What are Enemy Properties?

- Enemy Properties are the immovable assets left behind by people who have taken citizenship of Pakistan and China.

About Enemy Properties in India

- The enemy properties are vested with the *Custodian of Enemy Property for India (CEPI)*.
- The highest number of enemy properties were found in Uttar Pradesh.
- The enemy properties valued below Rs 1 crore, the custodian shall offer for purchase to the occupant first.
- The properties having valuation of Rs one crore and below Rs 100 crore, shall be disposed of by the CEPI through e-auction.
- The e-auction platform of public enterprise, the Metal Scrap Trade Corporation Limited, shall be used by the CEPI for e-auction.
- The government has earned over Rs 3,400 crore from disposal of movable enemy properties like shares and gold.

About Custodian of Enemy Property for India (CEPI)

- *The Office of the CEPI is a statutory authority under the provisions of the Enemy Property Act, 1968*
- The office of the Custodian of Enemy Property for India, worked under the aegis of the Ministry of Home Affairs.
- It function under the provisions of the Act and Rules/Guidelines/Order made as directed by the Custodian from time to time as per specific jurisdiction.

74. MP disqualification

In News

Rahul Gandhi stands disqualified as an MP following his conviction

How an MP will get disqualified?

- The **Article 102** of the constitution of India has provided that a member of parliament will be disqualified for membership if:
 - He holds any office of profit under the Union or state government.
 - He is of unsound mind and stands so declared by a court.
 - He is an undischarged insolvent.
 - He is not a citizen of India or has voluntarily acquired the citizenship of a foreign state.
 - He is disqualified under any other law made by Parliament.

Additional ways disqualifications in the Representation of People Act (1951) are, If:

- He has been found guilty of certain election offences and corrupt practices
- He must have been convicted for any offence that results in imprisonment for two or more years.
- He has failed to lodge an account of election expenses within stipulated time.
- He has any interest in government contracts, works and services.
- He is a director or managing personnel in a company / organization in which government has at least 25% share.
- He has been dismissed from government service due to corruption or disloyalty to state.
- He has been convicted for promoting enmity between groups.
- He has been punished for supporting social crimes such as untouchability, sati, dowry etc.

Disqualification of Member of Parliament



PARLIAMENT OF INDIA

On Constitutional Grounds:

- If s/he holds any office of profit under the Union or state government (except that of a minister or any other office exempted by Parliament).
- If s/he is of unsound mind and stands so declared by a court.
- If s/he is an undischarged insolvent.
- If s/he is not (or not anymore) a citizen of India.
- If s/he is disqualified under any law made by Parliament.

On Statutory Grounds (Representation of People Act, 1951):

- Found guilty of certain election offences/corrupt practices in the elections.
- Convicted for any offence resulting in imprisonment for two or more years (detention under a preventive detention law is not a disqualification).
- Has been dismissed from government service for corruption or disloyalty to the State.
- Convicted for promoting enmity between different groups or for the offence of bribery.
- Punished for preaching and practising social crimes such as untouchability, dowry and sati.

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75. Online Gambling

In News

Tamil Nadu Assembly re-adopts Bill against online gambling.

What is Online Gambling?

- The Online Gambling means to use of the internet to place bets and earn money.
- It is held in virtual environment. This includes playing of poker, casinos and sports betting.

About Online Gambling

- People can access online casinos that accept INR without the fear of prosecution.
- The common online banking casino methods are: credit cards, debit cards, prepaid cards and cryptocurrencies.
- Card games are very popular among Indians.

❖ **Legal position of Gambling in India**

- Gambling in India, being a state subject entitles the state to frame State-specific laws on betting and gambling.
- The Public Gambling Act, 1867, is the central enactment on the subject, which prohibits all games of chance except lotteries and games of skill.
- Any violation of provisions of the law would attract a fine of Indian rupees of 200 or imprisonment up to 3 months.
- According to the Public Gambling Act, it is illegal to operate a gambling house or be present inside one.

Status of Online Gambling laws

- The states of Sikkim, Nagaland, and Meghalaya have gaming laws and licensing regimes.
- Sikkim and Meghalaya have licensing authority for online casino gaming and sports betting.
- Nagaland has a licensing authority for online games categorized under mere skill.
- In 2020, Telangana and Andhra Pradesh imposed a ban on any online gambling and real money gaming activities.
- In 2021, the states of Karnataka and Tamil Nadu moved towards a blanket ban on online gaming activities.

76. Affinity test

In News

Affinity test cannot be the litmus test to decide a caste claim.

About

❖ ***An affinity test mandates the study and preparation of a report by authorities on caste/tribe claims.***

- It was used to ascertain if the person follows the traditional cultural traits of the community.
- It is done based on the peculiar anthropological and ethnological traits, deities, rituals, customs, mode of marriage, death ceremonies, methods of burial of dead bodies, etc, of the particular caste or tribe and the applicants knowledge of them.

Two views of the Test

- First view, if a candidate failed the affinity test at any stage, a caste validity certificate cannot be granted to him.
 - Secondly, It is not the only criterion for deciding a caste claim based on a caste certificate issued by a competent authority.
- ❖ It could be used only as a means to corroborate the documentary evidence.

Recent developments

- Recently SC said that an affinity test is not an essential part of the process of the determination of correctness of a caste or tribe claim in every case.
- SC observed that the occasion to conduct affinity test would arise only in those cases where the matter has been referred to the Vigilance Cell by the Scrutiny Committee.
 - The Scrutiny Committee should record reasons as to why it is not satisfied with the material provided by the applicant.

77. Digital Personal Data Protection Bill 2022

In News

MeitY invites feedback on the draft 'Digital Personal Data Protection Bill 2022'.

About the bill

- ❖ The Ministry of Electronics and Information Technology has formulated a draft Bill, titled 'The Digital Personal Data Protection Bill 2022'.
- ❖ **Purpose of the draft Bill**
 - To provide for the processing of digital personal data in a manner that recognizes both the right of individuals

- To protect the personal data and the need to process personal data for lawful purposes.

❖ **Background of the 2022 bill**

- The first draft of the law — the Personal Data Protection Bill, 2018.
- It was proposed by the Justice Srikrishna Committee.
- The revised draft was introduced as the Personal Data Protection Bill, 2019 (PDP Bill, 2019).
- The Lok Sabha passed a motion to refer the PDP Bill, 2019 to a joint committee of both the Houses of Parliament.
- The Joint Committee on the PDP Bill, 2019 (JPC) submitted its report on the Bill in December, 2021.
- The new draft bill, the Data Protection Bill, 2021 incorporated the recommendations of the JPC.
- In August 2022, the government withdrew the PDP Bill.

❖ **Provisions of New Bill**

- The Digital Personal Data Protection Bill frames out the rights and duties of the citizen (Digital Nagrik).
- The obligations to use collected data lawfully of the Data Fiduciary.
- The Bill will establish the comprehensive legal framework governing digital personal data protection in India.
- The Bill provides for the processing of digital personal data.
- It recognizes the right of individuals to protect their personal data, societal rights and the need to process personal data for lawful purposes.
- **Rights & Duties of Data Principal** (individual to whom the personal data relates) in the provisions:
 - Right to information about personal data
 - Right to correction and erasure of personal data
 - Right of grievance redressal
 - Right to nominate.

- The Central Government will establish a Board called the Data Protection Board of India.
- Process to be followed by the Board to ensure compliance with the provisions of the Act is also included.
- It also has an Alternate Dispute Resolution.
- The bill also includes Financial Penalty not exceeding rupees five hundred crores.



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