

### PT 360: 5 Years Current Affairs

PT 360 is a Course for **5 years Current Affairs for Prelims.** It includes Current Affairs from June 2016 to May 2021.

**Course Duration:** 25 Hours for 5 Years Current Affairs. Number of Pages: Approx. 300.

**Subjects:** 1. Indian Polity. 2. International Relations. 3. Social Issues. 4. Environment, Geography, and Maps. 5. Economy. 6. Art and Culture. 7. Science And Technology. 8. Governance: Ministries, Schemes, Policies, Acts, and Bills.

#### Approach

- All the subjects are segregated into topics and Subtopics.
- Eg. Social issues PT is segregated into 9 subtopics: 1. Women. 2. Children. 3. Other Vulnerable Sections. 4. Education. 5. Health. 6. Drug Abuse Issues. 7. Food and Nutrition. 8. Index and Reports. 9. Miscellaneous.
- The Women Topic is again segregated into its related subtopics: 1.1 International Initiatives. 1.2 Marriage, Divorce, and Inheritance. 1.3 Violence and Harassment. 1.4 National Initiatives. 1.5 Motherhood. 1.6 Women Education. 1.7 Women Health. 1.8 Schemes
- Schemes related to women are covered in Governance PT under Ministry of Women and Child Development.

**Relevance of PT 360 for Mains:** You need to update the analytical part for the Mains. Also, pointers from this course can be used as fodder for Mains. like examples, case studies, court judgements etc.

#### Note:

1. Videos are free at YouTube. Content is not part of free videos.
2. Course completion date: 15 days before Prelims.

### Indian Polity

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### STATIC TOPICS IN NEWS

- Fundamental Duty
- Citizenship: Due to CAA and NRC.
- **Pardoning Power of President:** President has rejected mercy pleas by convicts in Nirbhaya case.
- **Pardoning power of president VS Governor.**
- **Abolition of Legislative Council:** Andhra Pradesh assembly passed resolution to abolish.
- **Parliamentary motions:** Privilege Motion was passed against Prime Minister.
- Parliamentary Privileges
- Leader of Opposition
- **Office of profit:**
  - President rejected a petition demanding disqualification of Delhi MLAs for allegedly holding office of profit.
  - It is **neither** defined in the **constitution** **nor** under **Representation of People's Act.**
- Lapsing of Bills
- **Cabinet Committees**
- Parliamentary Committees
- Ethics Committee.
- Inter-State Council: Recently, Inter-State Council (ISC) has been reconstituted.
- Chief Information commissioner.
- Official Language
- **Promotion of Hindi Language:** Union home minister proposed to promote Hindi as the country's common language.
- Tribunal
- Supreme court / High court: Addition of Judges, Transfer of Judges, Acting Chief Justice, Regional Bench of Supreme Court, Original jurisdiction of the Supreme Court.
- **Gram Nyayalayas:** Supreme Court has directed all the states to come out with notifications for establishing 'Gram Nyayalayas' within a month.
- **National Legal Services Authority (NALSA):** issued Vision 2020 document "Mission Access Justice to All".
- **Sixth Schedule:** NCST recommended Union Territory of Ladakh to be declared as a "tribal area" under the schedule.
- NCST

- Election Commission: Criteria to **recognize a party as national party.**
- Comptroller and Auditor General of India
- Lokpal
- Law Commission of India
- Central Vigilance Commissioner
- **NITI Aayog.**
- Governor's discretion
- **Adjourned sine die:** Parliament adjourned sine die in wake of COVID-19, after passing the Finance Bill 2020.
- Business Advisory Committee
- Mandal Commission
- Right to Property

### Articles in news

- **Article 72:** Pardoning power of the **President.**
- **Article 161:** Pardon Power of the **Governor.**
- **Article 82** - the Parliament enacts a Delimitation Act after every Census.
- **Article 87:** Special Address by President
- **Article 102 (1) (a):** Disqualification of Membership of Parliament.
- **Article 191 (1) (a):** Disqualification of members of state assemblies.
- **Article 164 (3):** Governor shall administer the oaths of office
- Constitutional Provisions related to **contempt: Article 129 and Article 215**
- **Article 131: Original jurisdiction of the Supreme Court**
  - Kerala and Chhattisgarh have filed a suit in the Supreme court challenging the constitutional validity of various central laws related to CAB, under.
- **Article 142:** Supreme Court may **pass order** as is necessary **for doing complete justice in case of matter pending before it.**
- **Article 145(3):** The case of **interpretation of the Constitution**, must be heard by **benches** of at least **5 judges.**
- **Article 164(1): Appointment of Chief Minister** by Governor.
  - There is no qualification mentioned in article 164(1).
- **Article 170** - States also get divided into territorial constituencies as per Delimitation Act after every Census.

- **Article 172:** Legislative Assemblies shall continue for five years.
- **Article 174 (2) (b):** The Governor may, from, dissolve the **Legislative Assembly**.
- Article 340: President to appoint commission to investigate the conditions of backward classes.
- Article 371 to 371-J: grants temporary, transition and special provisions to some states in the country.
- **Article 371F:** Special provision for Sikkim, through **36th Amendment 1975**.
- **Provisions for language in courts**
  - Article 348 (1): all proceedings in SC and in every High Court **shall be in English Language until Parliament by law otherwise provides**.
  - Parliament has not made any provision for the use of Hindi in SC.
  - **Article 348 (2): Governor**, with consent of President, can authorize use of Hindi **or any other language in proceedings of High Court**.

## 1. ISSUES RELATED TO CONSTITUTION

### Custodial Violence

- **Why in news:** Death of a father-son in Tamil Nadu, allegedly due to custodial violence.
- Custodial violence means the **violence in the judicial and police custody**.

### National Campaign Against Torture

- It is a joint initiative by multiple NGOs.
- 3/4 deaths in police custody are due to torture.

### U.N. Convention against Torture, 1987

- An international human rights instrument.
- To prevent torture and other cruel, inhuman degrading treatment.
- India has **signed, but it is yet to ratify it**.

### Right to Protest

- Right to protest is fundamental right. – **UNHRC**
- **Constitution of India:** The right to protest peacefully is fundamental right. Article 19(1).
  - It cannot be taken away by an arbitrary executive or legislative action. - **Ramlila Maidan case**.

### UN Human Rights Committee (UNHRC)

- 18 independent expert body.
- Monitors implementation of ICCPR.
- Everyone can exercise the right of peaceful assembly. It is a **fundamental human right**. - UNHRC

### International Covenant on Civil and Political Rights (ICCPR)

- UNHRC monitors its implementation.
- ICCPR is a **key international human rights treaty**
- Works for protection of **civil and political rights**.
- **ICCPR's Article 21** guarantees the right to peaceful assembly.
- It was adopted by the UNGA in 1966. **India ratified** the Convention.

### International Bill of Human Rights

It includes

- ICCPR
- **Universal Declaration of Human Rights**
- **International Covenant on Economic Social and Cultural Rights**

### Modern Slavery

- **Modern slavery:** It is the exploitation that a person cannot refuse- because of threats, violence, coercion, or abuse of power.
- **Article 23** of the Indian constitution.

A report by **Walk Free and CHRI (international NGOs)**

- highlighted the **need for renewed urgency to eradicate modern slavery and achieve SDG Target 8.7 by 2030**.

### Key findings

- **71% of all victims** of modern slavery are women and girls.
- India accounted for one-third of all **child brides in the world**.

### Domestic Workers Convention, 2011

- **Adopted by ILO** for decent work for domestic workers.
- India has **not ratified it**.

### 2014 Protocol to Forced Labour convention

- It is a protocol to the **Forced Labour Convention, 1930**
- **Legally-binding**.
- It requires States to take measures **to suppress forced labour**.
- India **signed and ratified Forced Labour Convention, 1930**, but not ratified the protocol.

### Right to property

- Forceful dispossession of a person of his private property **without due process of law** is a human right violation. - Supreme Court.
- No-one shall be arbitrarily deprived of his property. - Universal Declaration of Human Rights 1948.

### Reservation in Scheduled Areas

- 100% reservation for STs in scheduled areas is not permissible. - Supreme Court's five-judge Constitution bench.
- Andhra Pradesh provided 100% reservation to the ST candidates in 2000.

### Nomination of Ranjan Gogoi to Rajya Sabha

- **President nominated** the former Chief Justice of India, Ranjan Gogoi to the Rajya Sabha.
- **Article 80(1)(a):** President can nominate 12 persons to RS.
- **Not first time:** Previously, some Judges were also members of Rajya Sabha.

### Article 35A

- It was incorporated **1954 under Article 370 (1) (d)** by a **Presidential order**.
- It **empowers J&K legislature** as:
  - State's "permanent residents".
- It **denies property rights** to native **women** (Including children) **who marry a person from outside the State**.
- However, these **special rights can be provided only to 4 categories:**
  - Employment under the state government.
  - Acquisition of immovable property in the state.
  - Settlement in the state.
  - Right to scholarships and such other forms of aid as the state government may provide.

### About National Security Act, 1980

- It is for **preventive detention** in certain.
- **The grounds can be:**
  - Threat to the defense of India.
  - Threat to the maintenance of public order.
  - Threat to the maintenance of essential supplies and services.
  - There can be imprisonment without any review.
- **Advisory Body: 3 Members**

- It is made up of High Court Judges or qualified to be.
- A person may be held extrajudicially for up to 12 months, if approved by the body.
- The term may be extended on the basis of fresh proves.

### State Flag

- The Constitution **does not prohibit a state from having a separate state flag**.
- There is no prohibition for the state to have its own flag: **S.R. Bommai v/s Union of India**.
- **Guidelines for State Flag:**
  - State Flag has to be always below the national flag.
- A flag is not included in the Seventh Schedule.
- **Prohibition:** Insulting, burning, mutilating, defacing etc. of National Flag.
- **The Flag Code of India, 2002:** No prohibitions on a State flag.

### Tribunals

- It is a **quasi-judicial body**, that resolve the disputes brought before it.
- It was established through **42<sup>nd</sup> Amendment 1976 under Article 323A and 323B**.
- It was done on the recommendation of **Swaran Singh Committee**.
- **Article 323A:** It deals with administrative tribunals.
- **Article 323B:** It deals with tribunals for other matters.
- Tribunals **do not follow uniform procedure** as laid down under the **Civil Procedure Code**.
- It follows the principles of **Natural Justice**.
- It enjoys **some powers of a civil court**. As:
  - To issue **summons**.
  - To allow **witnesses to give evidence**.
  - Its decisions are **legally binding** on the parties.

### Provisions Related to Tribal Regions

- **5th Schedule (Art 244 (1)):** It deals with **control and administration** of the **Schedule Areas**.
- **Some of the important features of the Schedule are:**

- It deals with the **constitution of a Tribes Advisory Council**
- The **Governor can adapt laws passed by legislatures** in according to that particular areas.
- Governor can make laws for that area too.
- **6th Schedule:**
  - It deals with **governance of the autonomous districts** in Assam, Meghalaya, Tripura and Mizoram.
  - These districts are directly **administered by the Governor.**
  - It deals with the constitution, powers and functions of all the Councils of autonomous districts.

#### Cess and Surcharge

- The share of cess and surcharge revenue has increased – **15<sup>th</sup> Finance Commission.**
- These revenues are included to the **consolidated fund (Article 266).**
- **Cess:**
  - It is implemented for a **specific purpose** and **can be removed later.**
  - It is applicable on total payable tax (including surcharge).
  - There can be **exceptions like Krishi Kalyan Cess**, which is applicable on total service value.
- **Surcharge:**
  - It can be used for **any purpose**, as such no restrictions.
  - It is applicable on **total service value.**
- **Article 271:** Surcharge on certain duties and taxes for purposes of the Union.

## 2. CENTRE-STATE RELATIONS

#### Jammu and Kashmir Reorganization

##### Constitution (Application to Jammu & Kashmir) Order, 2019

- Issued by President of India **to supersede the 1954 order** related to Article 370.
- The special status of Jammu and Kashmir (J&K) under Article 370 was ended.
- **Article 35A is scrapped** automatically.

##### Jammu and Kashmir Reorganization Act, 2019

- J&K was re-organized into two Union Territories (**under Article 3**)
  - J&K with a legislative assembly and
  - Ladakh without having an assembly.

#### Explained: How it happened?

- **BJP withdrew support** from the PDP-BJP coalition government
- Governor's rule imposed.
- **Article 367** contains guidance on **how to read or interpret some provisions.**
- **President issued a presidential order** under **Article 370 (1)** of the Constitution.
  - The order **amended Article 367.**
  - The **amended Article 367** declares that “the expression ‘Constituent Assembly of the State...’ in Article 370 (3) shall be read to mean ‘Legislative Assembly of the State’.
  - **Article 370 (3)** provided that the Article 370 was to be amended by the **concurrence of the Constituent Assembly.** (i.e. the Governor now)
- However, because of the amendment, it can now be done away by a recommendation of the state legislature.
- Because **Legislative Assembly of the State was dissolved** due to the Governor's rule, hence the Governor could take decisions.
- Article 370 was a **temporary provision**, inserted by a Presidential order in 1954.
- Hence, its amendment **does not require a constitutional amendment.**
- **Government passed a resolution for Repeal of Article 370.** (Simple majority)

#### Inner Line Permit (ILP) and Protected Area Permit (PAP)

- These are the documents that allows a tourist to visit or stay in **a state that is protected** under this system.
  - Indian citizen: Require ILP
  - Foreigners: Require PAP
- It is issued by the **state government.**
- The system is in force today in **four North eastern states** — Arunachal Pradesh, Nagaland, Manipur and Mizoram.

- **Colonial act:** Originated from Bengal Eastern Frontier Regulation Act, 1873.

### Rationalisation of Centrally Sponsored Schemes

#### Steps taken towards rationalization of CSS

- All transfers to States for CSS are now routed through the **Consolidated Fund of the State**. Before 2014-15, it was directly transferred to the implementing agencies.
- **Increased choice given to states.**
- **Reduced rigidity in usage of funds.**
- **Evaluation of CSS-** Approval of the schemes is being made co-terminus with the Finance Commission cycle. NITI Aayog is in process of evaluation of all the CSS.
- **Reduced number of CSS** and they were divided into **three categories**.

**Context:** Fifteenth Finance Commission asked for further rationalization of the CSS.

#### Note: Three categories of CSS

##### 1. Core of the Core Schemes:

- These schemes comprise of **six umbrella schemes**.
- Requires **mandatory participation of states**.

##### 2. Core Schemes:

- Requires **mandatory participation of states**.
- Centre and States will **work together** in the spirit of Team India. E.g. National Education Mission.
- These **twenty schemes** have ratio of funding as –
  - General Category states: 60: 40,
  - Special Category states: 90: 10.

##### 3. Optional Schemes:

- **State may or may not join it.**
- They are two in number:
  - **National River Conservation Plan**
  - **Border Area Development Program.**

#### North-Eastern Council

- **Ex-officio Chairman** – Union Home Minister
- **Vice Chairman** - Ministry of DoNER.

- **In news:** Government decided to allocate NEC's 30% budget for developing deprived areas.

### Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act, 2019

- **Amendment to First Schedule.**
  - **Amended using Article 240(1):** It allows President to make regulations for certain UTs.
  - Now **two Lok Sabha seats** for the merged UT.
  - The jurisdiction of the **High Court of Bombay** will continue in the merged UT.
- Note: Union Territories in India become 8 (out of which 3 have legislature).
- $8 = 7 \text{ Old} + 2 \text{ (J&K and Ladakh)} - (2 \text{ merged to 1 new})$

#### Competitive Federalism

- It is a concept where **centre competes with states** and vice-versa.
- The **states compete with each other** in their joint efforts to develop India.
- It follows the **bottom-up approach** as it will bring the change from the states.
- **One-size-fit-all policy is replaced** with different policies of various states based on the own priorities within the state.

#### Single Tribunal for Inter-State Water Dispute

- There will be **permanent tribunal** to decide on **all inter-state water disputes** that arise.
- This will be done by **amending** Inter-State Water Disputes Act, 1956 (**ISWDA**).
- There will be a **single agency**:
  - To collect and maintain all relevant water data.
  - Including rainfall, water flow, irrigation area, in each of the river basins of the country.
- **Article 262(1):** Parliament may provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river, or river valley.

### 3. LEGISLATURE

### Anti-Defection Law

**Supreme Court to Parliament:** Amend the Constitution to strip **Legislative Assembly Speakers** of their exclusive power to decide on the **matter of disqualification** under this law.

- The **presiding officer** does **not** have the power to
  - either indicate the **period** for which a **person is disqualified**,
  - nor to **bar** someone from **contesting elections**.
  - Decision of the Presiding Officer is **subject to judicial review**.

### Leader of Opposition

In recent Lok Sabha Election, none of the political parties were able to secure minimum 10% of strength required to be eligible for Leader of Opposition post.

- LoP is a **statutory post**, drawing its power from **Salaries and Allowances of Leaders of Opposition in Parliament (SALOP) Act, 1977**.
- The act defines
- LoP is the Leader of the **largest Opposition party**.
- Speaker or Chairman is **not obliged** to recognise any such LoP if the **largest Opposition party** does not have **1/10th strength**.

### Impeachment of US President

Donald Trump became the 3rd President of USA to have been impeached. But since he was acquitted by the Senate, he was not removed.

Impeachment of President of India (Article 61)	Impeachment of President of US
“violation of the constitution”.	‘Treason, Bribery, or other high Crimes and Misdemeanours’.
Initiated by either House of Parliament. It should be signed by one-fourth members of that House.	Only House of Representatives (lower house) can initiate impeachment proceedings
Impeachment resolution is passed by a <b>two-third majority</b> .	Once this is passed with a <b>simple majority</b> , the process goes for trial.
After that, it is sent to the other House. It investigates the charges, <b>like the first house</b> .	Next, the Senate ( <b>upper house</b> ) is convened like a <b>court</b> , with both sides presenting evidence.
If the other House also	At the conclusion of

passes the impeachment by a **two-third majority**, then the President is removed. these hearings, the President can be removed from office only if **two-thirds of the Senate** votes for it.

### Private Member's Bill

- Private members can bring in **constitutional amendment** bills but not money bills.
- The last time a private member's bill was passed by **both Houses** was in **1970**.
  - It was the **Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Bill, 1968**.

### Context:

- Private member's bill to limit election expenditure and for state funding of elections.
- Note: **Indrajit Gupta Committee** on State Funding of Elections (1998).

### Cabinet Committees Reconstituted

- All Committees of Cabinet are chaired/headed by **Prime Minister**.
  - except Cabinet Committee on Parliamentary Affairs (CCPA) and Cabinet Committee on Accommodation (CCA)
  - CCPA and CCA are headed by Union Home Minister.

### Revised schedule for Monsoon session of the Parliament

- As per revised schedule, there will be **no Question Hour**.
- MPs can ask **Unstarred questions**.
- Also, **Zero Hour** will be restricted in both Houses.
- Released by **Business Advisory Committee**
- Business Advisory Committee: It regulates the **programme and timetable of the House**.

### Quorum

- **Quorum in parliament:** It is **1/10<sup>th</sup> of total number of members** in each House including the presiding officer. (Article 100(3)).
- **Quorum in committees:** **One third Committee members** should be present for the quorum to constitute a sitting of the Committee.

- **Quorum is essential only when committees are taking decisions or adopting reports**, and not for routine deliberations. - Rajya Sabha secretariat.

#### Fifth World Conference of Speakers of Parliament

- Organized jointly by **Inter-Parliamentary Union (IPU)**, and **Parliament of Austria** with support of UN.
- It is being organized in virtual mode.

#### IPU

- **Established in 1889 as international organisation of parliaments.**
- To foster coordination among **parliaments of all countries**.

#### Governor's power to summon Assembly session

- If chief minister enjoys majority, **Governor has no discretion in the matter of summoning** the house under Article 174. He is bound to act on the advice of the cabinet. - Supreme court

#### Recent Rajasthan controversy:

- Due to Governor's refusal to summon a session as desired by Council of Ministers.
- **Governor's insistence on 21-day notice:** Rule of 21-day notice for session was set by Lok Sabha, and adapted by State legislatures.
- Later it changed to 15 days.
- However, many times sessions have been convened at shorter notice.

#### Powers of Lieutenant Governor

- **LG of Puducherry cannot interfere** in the day-to-day administration of the Union Territory when there is an elected government. - Earlier ruling of Single Judge Bench of Madras High Court in 2019.
- Madras High Court has **set aside this judgment: Centre will take final decision** in matters referred by the LG in case of difference of opinion with the UT Government.

#### Jammu & Kashmir Domicile Rules

- Centre has defined these using **J&K Reorganization Act, 2019**.
- Earlier, this power rested with legislative assembly of J&K.

- The order provides **protection to domiciles to "any post"** in the government.
- **Earlier, all jobs** were exclusively reserved for the permanent residents.

#### J&K Transaction of Business Rules

- Ministry of Home Affairs notified **Transaction of Business of the Government of Union Territory of J&K Rules, 2019**.
- Rules were notified under **J&K Reorganization Act, 2019**.
- Under the rules, **police, public order, All India Services and anti-corruption** will fall under the executive functions of the **Lieutenant Governor (LG)**.
- Thus, CM or Council of Ministers will have **no say** in their functioning.
- In case of **difference of opinion between the LG and a Minister**, the decision of LG shall be deemed to be accepted by the Council of Ministers.

#### Rajya Sabha Elections

- Election Commission extended the period of Rajya Sabha election **beyond the prescribed term**, due to COVID-19.
- Invoked its powers under section 153 of ROPA, 1951.
  - Under this section, ECI can extend the time for the completion of any election.

#### Floor Test: Supreme Court Decision

- Governor can direct Floor test even while House is in Session.
- A Governor can call for a floor test any time he objectively feels a government in power has lost confidence of House.
- However, the call for a trust vote is **subject to judicial review**.
- Governor need not wait for Speaker's decision on resignation of rebel MLAs before calling for a trust vote.

#### Floor test, motion of confidence, no confidence motion

These three terms are used for the test of the majority.

- **Floor test:** the governor can ask to prove majority in the House.
- **Motion of confidence:** If the government wants to demonstrate its strength on the floor of the House.

- **No confidence motion:** If opposition parties can move such a motion.

#### Cabinet Committees

- **Functions** of two recently created Cabinet committees were **widened**.
- Changes were made by **amending** Governments of India **Transaction of Business Rules, 1961.**
  - Under Article 77(3), President made these Rules.

#### Cabinet Committee on Investment and Growth

- Function: to identify key projects required to be implemented **on a time-bound basis**
- Recently Rs 1,000 crore limit is removed.
- It also includes **sector specific reforms**.

#### Cabinet Committee on Employment and Skill Generation

- **Functions:** to look at **policies, programmes and schemes** for skill development and increasing employability.
- Now, measures to increasing workforce participation.

#### Whip

- A Whip is **appointed by the political party to serve as an assistant floor leader.**
- **Functions of Whip:**
  - To ensures the attendance of his party members.
  - To regulate and monitors their behaviour in the Parliament.
  - To communicate the decision of the party leader to the members.
- The members are supposed to follow the directives given by the Whip.
- Whip is **not mentioned in the Constitution** or Parliamentary statutes.
- It is based on the **conventions of the Parliamentary Government.**
- **All India Whips' Conference:**
  - It is the functions of Parliamentary Affairs Ministry.

#### Prior Sanctions

- It is **mandated to protect public servants from legal harassment** for their public action.
- **Government's View on Prior sanction:**

- It will protect honest officials from false allegations.

- **Current Legal Status on Prior Sanction:**
  - Section 19 of Prevention of Corruption Act **requires prior sanction** for prosecution.

#### Armed Force (Special Powers) Act, AFSPA, 1958

- It can be **applied only in "disturbed Areas".**
- **The Central Government or the Governor can declare** the Territory as a disturbed area.
- It gives **extraordinary powers to the armed forces** to bring back order in the disturbed areas.
- **Powers of AFSPA deployed in disturbed areas:**
  - Kill anyone acting in contravention of the law.
  - Arrest and search any premises without a warrant.
  - Provide cover to forces from prosecution and.
  - legal suits without the Central government's sanction.
- **Section 3 AFSPA:**
  - It can be implemented in places where "the use of armed forces in aid of the civil power is necessary."

#### Council for Advancement of People's Action and Rural Technology (CAPART)

- It is launched for **sustainable development of rural areas.**
- It is an **autonomous body registered under the Societies Registration Act 1860.**
- It works as a nodal agency between organizations and the Government.
- It is **chaired by the Union Minister for Rural Development.**

## 4. JUDICIARY

### Tribunal, Appellate Tribunal and other Authorities Rules, 2020

A **tribunal** is any person or institution with authority to judge, adjudicate on, or determine claims or dispute.

#### Types of Tribunals: Administrative and tax-related disputes:

Central Administrative Tribunal (CAT), Income Tax Appellate Tribunal (ITAT).

Customs, Excise and Service Tax Appellate Tribunal (CESTAT).

National Green Tribunal (NGT), Competition Appellate Tribunal (COMPAT).

#### About new rules

- It focuses on Qualifications, Experience and other Conditions of Service of Members of Tribunal.
- It is framed by the Ministry of Finance under Section 184 of the Finance Act 2017.
- These apply to 19 Tribunals.

### Zero Pendency Courts Project

**News Context:** Delhi High Court released the report on its pilot project titled "**Zero Pendency Courts**".

**Objective:** To study the actual, real-time 'Flow of Cases' till final disposal.

### Curative Petition

It is a concept evolved by Supreme Court matter of **Rupa Ashok Hurra vs. Ashok Hurra, 2002**.

It is about whether a person is entitled to any relief against the final judgement or order of Supreme Court after the dismissal of a review petition.

The Supreme Court held that it may reconsider its judgements in exercise of its inherent powers.

**Article 137:** Supreme Court can review its own judgements and orders.

#### Difference between Review Petition and Curative Petition:

**Review petition is provided in the constitution.**

**Curative petition** is in relation with the interpretation of the review petition by the Supreme Court.

### Lok Adalat

- It is one of the alternative dispute redressal mechanisms.

- It is a forum where **disputes or cases pending in the court of law or at pre-litigation stage are settled**.
- **Lok Adalats** have been given **statutory status under the Legal Services Authorities Act, 1987**
- **Chhattisgarh** became first state to inaugurate '**e-Lok Adalat**'.

### Legal Information Management & Briefing System (LIMBS)

- A web-based portal by **Department of Legal Affairs**, Ministry of Law & Justice.
- It is an online database of **government related litigation** with details of 3 lakh cases.
- Aims to eventually bring **information on all government-related cases** to the database.

### National Judicial Data Grid

- A web portal having data related to **number of cases pending** in any court.

### e-Committee of Supreme Court

- It is constituted by the Government in Supreme Court.
- It is to assist CJI in formulating a National policy on computerization of Indian Judiciary.
- It is established re-engineering committees in High Courts.

### All-India Judicial Services

- Law ministry has decided to speed up the consultation process for All India Judicial Service by March 2022.

### All India Judicial Service (AIJS)

- In 1976, Article 312 was modified to include the judicial services. (on Swaran Singh Committee Recommendations)
- **Objective:**
  - To create a centralized cadre of District Judges.
  - Recruited centrally through an all-India examination.
  - Allocated to states on lines of All India Services.

### Contempt of Court

- It is not defined by the Constitution.

- **Contempt of Court Act of 1971: Civil or Criminal.**
- **Civil contempt:**
  - Disobedience of Court's judgement, order, writ etc.
- **Criminal contempt:**
  - Any act of publication, which lowers the authority of a court.
  - Interference in a judicial proceeding.
  - Interference in the administration of justice in any other manner.
- **Article 129 and 142(2):**
  - Supreme Court to issue notice and punish anyone including Judges of the High Court for its contempt or contempt of any subordinate courts.

#### Tele Law Initiative

- It is **portal** to enable people to seek **legal advice from lawyers** through video conferencing.
- It is **pilot project** launched by **Law Ministry with Electronics and IT Ministry** in 2017.
- This service will be available in **Common Service Centres (CSC)** at **Panchayat level**.
- Every CSC will engage a **Para Legal Volunteer (PLV)**.

#### Para Legal Volunteer (PLV)

- They will be the **first to contact** the rural citizens.
- They will **help in understanding the legal issues**.
- They will **explain the advice given by lawyers**.
- **Women PLVs** will be encouraged and trained under the Scheme **women entrepreneurship**.

#### Inquisitorial System

- It is a **legal system** where the **court is involved in investigating** the facts of the case.
- **Malimath Committee Recommendation, 2003:**
  - **Indian Judicial system** should be **reformed** as Germany and France system.
  - The **Judiciary** should be directly involved in the investigation.

- Malimath recommendations are **completely opposite of Indian Judicial system**, which uses **Adversarial System**.
- **Adversarial System:**
  - It is judicial system where **prosecution and the defense** present the case before the court.\

## 5. RESERVATION ISSUES

#### 104th Constitutional Amendment Act

- Extend reservation for Scheduled castes and Scheduled Tribes to **Lok Sabha and legislative bodies**. (Article 330 and 332 respectively)
- Not extending the provision of **nominating Anglo Indians** to Lok Sabha and legislative bodies. (Article 331 and 333).

#### Reservation in Promotion for Persons with Disabilities (PWDS)

- Supreme Court bench upheld that **3% reservation should be given to persons with disabilities (PwDs) both in direct recruitment and in promotions**.
- **Persons with Disabilities Act, 1995** provides for **reservation in public employment for identified post for PWD**.

#### Economically Weaker Sections (EWS)

- State governments are free to decide whether to implement the **10% reservation for EWS in jobs and admissions**.
- The **103rd Constitution Amendment Act 2019** inserted:
  - **Article 15** - amended to enable the government to take **special measures for the advancement of EWS**.
  - **Article 16(6):** permits the government to reserve up to 10% of all government posts for EWS.
  - This reservation **will not apply to minority educational institutions**.

#### Job Reservations, Promotion Quotas not a Fundamental Right

- There is **no fundamental right to reservations in appointments and**

**promotions under articles 16(4) and 16(4A)** of the Constitution. – Supreme Court

#### OBCs

- OBC is a collective term to classify **educationally or socially disadvantaged castes**.

**NCBC proposed 3 categories in 2015:**

- **Extremely Backward Classes (EBC-Group A):** facing social, educational and economic backwardness even within the OBCs.
- **More Backward Classes (MBC-Group B)**
- **Backward Classes (BC-Group C)**

#### National Commission for Backward Classes (NCBC)

- Till now, **NCSC (Article 338)** addressed the grievances of OBCs.
- **Earlier NCBC was a statutory body:**
  - Set up under the NCBC Act, 1993
  - it could only recommend inclusion and exclusion of castes from the OBC list.

#### 123<sup>rd</sup> Constitutional Amendment Bill

- **Now NCBC** It is a constitutional body.
- **Article 338B** of the Indian Constitution.
- Under **Ministry of Social Justice and Empowerment**.
- Power to **inquire into complaints of deprivation of rights**.
- It also gives it the **powers of a civil court**.
- **NCBC structure:**
  - 5 members appointed by the **President**.
  - Tenure and Conditions of service to be decided by the **President**.

#### Quota Benefits to Disabled

- Disabled are entitled to same benefits of SC/ST quota. - Supreme Court.
- In **Anamol Bhandari case (2012)**, Delhi High Court held that
  - **People suffering from disabilities are also socially backward;** hence entitled to same benefits of SC/ST candidates.

#### Rights of Persons with Disabilities (PwDs) Act, 2016

- Reservation for PwDs: in higher education (at least 5%), government jobs (at least 4 %).

## 6. RIGHTS ISSUES

#### Internet as Basic Right

##### Provisions for Internet shutdowns in India

- Information Technology Act, 2000, CrPC, 1973 and Telegraph Act, 1885.

##### Supreme Court's observation

- **On Internet shutdown**
  - Freedom of speech and expression through the medium of internet is a fundamental right under Article 19(1)(a) of the Constitution.
  - Freedom of trade and commerce through internet is also a constitutionally protected right under Article 19(1)(g).
- **On Section 144 of CrPC:**
  - It can be imposed under a dangerous “emergency” condition.

#### Right to Property

- To forcibly dispossess a person of his private property, without following due process of law, would be violative of a **human right**. - Supreme Court.

#### Doctrine of adverse possession

- A person who is not the original owner becomes the owner if:
  - He has been in possession of the property for a minimum of 12-years, and
  - In this period, the real owner did not seek legal recourse against him.

#### Sedition

- **Sedition under Section 124A of the Indian Penal Code** - any action that brings or attempts to bring hatred or contempt towards the government of India.
- **non-bailable offence.**

#### Famous sedition trials:

- Jogendra Chandra Bose, 1891
- 3 sedition trials of Bal Gangadhar tilak

- Mahatma Gandhi in 1922, for his articles published in Young India.

#### **Minority Educational Institutions (MEIs)**

- **Regulation of minority institutions** is permissible if it is intended to ensure excellence in minority institution. – Supreme Court.
  - Eg. **appointment of teachers.**

**Note:-** The Constitution of India does **not define the term minority.**

#### **NCMEI (National Commission for Minority Educational Institutions)**

- It is **quasi-judicial body.**
- It regulates the **certification of minority educational institutions** all over India.
- **linguistic minorities** are outside the purview of the NCMEI.
- **Chairman** - Judge of the High Court
- 3 members are to be nominated by Central Government.
- It has the **powers of a Civil Court.**
- It decides on **disputes regarding affiliation of a minority educational institution to a university.**
- It has power to **enquire, suo motu**, into complaints.

#### **Sabarimala Temple Issue**

##### **Constitutional Morality**

- The term ‘morality’ or ‘constitutional morality’ has **not been defined in the Constitution.**
- SC defined ‘**morality**’ in Article 25 to mean **constitutional morality.**

##### **Doctrine of essentiality**

- A religion is free to determine its **essential and non-essential practices.**
- It is a contentious doctrine evolved by the court

#### **Overseas Citizen of India**

- OCI card holders **do not enjoy fundamental rights.**
- OCI cardholders **do not get voting rights** and **cannot hold a government job.**
- They have been **granted statutory rights** under the Citizenship Act, 1955.

- OCI is granted multiple entry, multipurpose, **life-long visa for visiting India.**
- OCI is entitled to general parity with NRI in respect of all facilities **except in matters relating to the acquisition of agricultural or plantation properties.**
- A registered OCI is **exempted from registration with Foreign Regional Registration Officer** for any length of stay in India.

#### **9th Schedule of Indian Constitution**

- It contains **central and state laws, for which judicial review is not applicable.**
- **But as per the SC, such law can be declared unconstitutional, if it fails in the Dual test**
  - If it **violates any fundamental right and**
  - It also **damages the basic structure**

#### **7. ELECTIONS**

##### **Model Code of Conduct (MCC)**

- These are **set of rules** by ECI to guarantee free and fair elections throughout India.
- The MCC comes into force **from the date the election schedule is announced until the date when results are out.**
- The MCC is **not enforceable** by law.
- **It may be enforced through invoking provisions in Indian Penal Code, 1860, CrPC 1973 and RPA, 1951.**
- First introduced in the state assembly elections in Kerala in 1960.
- **MCC contains eight provisions:**
  - General Conduct
  - Meetings
  - Processions
  - Polling day
  - Polling booths.
  - Observers
  - Party in power
  - Election manifestos
- **MCC also applies to social media.**

##### **Electoral Bonds**

Electoral bonds will allow donors to **pay political parties using banks as an intermediary.**

##### **Key features**

- Resembles to promissory notes but it will not carry any interest.
- Not carry the name of the payee; and can be bought for any value, in multiples of Rs 1,000, Rs 10,000, Rs 1 lakh, Rs 10 lakh or Rs 1 crore.
- Shelf life of only 15 days. (after 15 days it will move to PM relief fund)
- Purchased by a citizen of India, or entities incorporated or established in India.
- Only the registered Political Parties which have secured not less than one per cent of the votes polled in the last Lok Sabha elections or the State Legislative Assembly are eligible.

#### National Party Status

- National People's Party (NPP) is declared as a national party (1<sup>st</sup> from NE region).
- Now, India has 8 national political party.
- EC has power to recognise a party as a national party; but has no power to de-register.
- The conditions for being listed as a national or a state party are specified under the Election Symbols (Reservation and Allotment) Order, 1968.

#### Party Symbol Allocation

- It comes under section 29A of Representation of People's Act, 1951:
  - It governs election symbols reservation, allocation, and registration of political parties.
- Election Symbols (Reservation and Allotment) Order, 1968:
  - Election Commission is empowered to recognize political parties and their symbols.
- The allotment of symbols is made on first come-first-served basis.

#### Delimitation Commission

##### Context:

- Delimitation will be done in Jammu and Kashmir based on the Census of 2011, in accordance with the provisions of the Jammu and Kashmir Reorganisation Act.
- In Assam, Arunachal Pradesh, Manipur and Nagaland delimitation will be done

in accordance with the provisions of the **Delimitation Act, 2002**.

#### About Delimitation

- Commission aims at redrawing the boundaries of the various Assembly and Lok Sabha constituencies based on a recent census.
- In India, Delimitation Commissions are constituted 4 times – in 1952, 1963, 1973 and 2002.
- The Commission is appointed by the President. It works in collaboration with the Election Commission.
- Three ex-officio members:
  - a serving or retired judge of the Supreme Court as the chairperson,
  - the Chief Election Commissioner or Election Commissioner nominated by CEC
  - State Election Commissioner of the concerned state.
- Orders of commission cannot be called in question before any court.

#### Right to Recall

- It is a process where a person who is elected can be removed from office before end of his term by a direct vote.
- The Representation of Peoples Act (RPA) 1951 talks about Right to Recall:
  - Incompetence and dissatisfaction are not the parameters.
  - It provides for vacation of office under certain offence.
- It exists in the local bodies of Bihar, Madhya Pradesh, and Chhattisgarh.

#### Electronic Voting Machines (EVMS)

**Context:** Recently, Delhi High Court ruled that EVM is not 'information' under RTI Act.

##### About EVM

- An EVM consists of a "control unit" and a "balloting unit".
  - The control unit is with the Election Commission-appointed polling officer.
  - The balloting unit is in the voting compartment: voter casts vote in secret.

- They are manufactured by **Electronics Corporation of India Limited (ECIL)** and **Bharat Electronics Limited (BEL)**.

#### Voter Verifiable Paper Audit Trail (VVPAT)

- It is an independent verification system for voting machines.
- It is designed to verify that the vote was casted correctly.
- A **printed paper slip** is available at VVPAT with **poll symbol and candidate's name**.
- VVPAT is must for transparency implementation -Subramaniam Swamy vs ECI (2013).
- It was **1st used in Nagaland in 2013**.

#### Hybrid Electoral System

- It is a **combination of best features of both First Past the Post System and Proportional Representation System**.
- Various types of Electoral Systems are:
  - First Past the Post System (Plurality/Majority).
  - Proportional Representation (PR system).
  - Mixed system (Hybrid System).
- In India only FPTP and PR system is used.
- 2 forms of mixed system are:
  - Mixed Member Proportional (MMP) system:** It is a system in which PR System is dependent on FPTP results and compensates for any disproportionality that arises in FPTP system.
  - Parallel system:** Two sets of elections are independent from each other for seat allocation.

#### Service Voter

- Is a person who can get enrolled as 'service voter' at his native place even though he may be residing at a different place (of posting).
- As per Representation of People's Act, 1950, service voter means:
  - Members of Armed Forces.
  - Members of forces to which provisions of Army Act, 1950 applies
  - Members of armed police force of a State and serving outside that

- State persons who are employed by GOI in a post outside India.
- Ordinary Elector:** Registered in the electoral roll of the constituency in which his place of ordinary residence is located.

#### None of the Above (NOTA)

- It is to allow voters to disapprove all the candidates while voting.
- The use of NOTA in direct elections to the Lok Sabha and state assemblies - **PUCL vs. Union of India 2013** (Not applicable to Indirect Elections).
- 1<sup>st</sup> used in the 2013 assembly elections held.
- However, NOTA in India **does not mean 'right to reject'**.
- The candidate with the maximum votes wins the election irrespective of the number of NOTA votes polled.
- There is no plenary power to call a fresh election even if NOTA secures highest votes.
- It is a toothless tiger and to provide greater sanctity to NOTA, Rule 64 of Conduct of Election Rules will have to be amended.

#### Rule 64 (The conduct of Election Rules, 1961)

- It says, '**Declaration of result of election and return of election**'.
- This rule does not contain provision where NOTA votes are highest than those polled by any candidate.
- It can be amended without parliament approval.

#### Proxy Voting

- Under this, a registered elector can **delegate his voting power** to a representative.
- It was introduced in 2003.
- The Representation of the People (Amendment) Bill, 2017 allows proxy voting by the NRI's.
  - This proposal has not been revived yet.

## SOME INITIATIVES BY ELECTION COMMISSION

Initiative Name	Features
Political Parties Registration Tracking Management System (PPRTMS)	<ul style="list-style-type: none"> <li>Online portal to facilitate tracking of status of application.</li> </ul>
<b>Postal Ballot</b> <ul style="list-style-type: none"> <li><b>Electronically Transmitted Postal Ballot Papers (ETPB)</b></li> <li>These are distributed to electors and returned by post.</li> </ul>	<p>Eligible Persons</p> <ul style="list-style-type: none"> <li>Service voters (armed forces, the armed police force of a state and government servants posted abroad)</li> <li>Voters on election duty</li> <li>People under preventive detention, not prisoners.</li> </ul> <p>This exception is provided under Section 60 of the RP Act, 1951.</p>
<b>Facial Recognition for Voter Verification</b>	<p>Telangana State Election Commission.</p> <ul style="list-style-type: none"> <li>To reduce impersonation or 'proxy voting' cases.</li> <li>Use of artificial intelligence, big data and machine learning.</li> </ul>

### Section 126 A

- It prohibits conduct of **exit poll and dissemination of their results** during the hour fixed for commencement of polls in the first phase and half an hour after the time fixed for close of poll for the last phase in all the States.

### Section 151 A

- It states that from the date of occurrence Bye-Election should be held within 6 months.

### Association of World Election Bodies (A-WEB)

**Context:** ECI hosted 4th General Assembly of A-WEB at Bengaluru.

#### About A-WEB

- It is largest association of **Election Management Bodies (EMBs)** worldwide.
- It was established in **2013** in **South Korea**.
- It aims at **strengthening the processes of election management** in member countries.

### Sections of Representation of The People Act (RP Act), 1951

- Section 8 (1):** To disqualify a person from contesting election; if he is convicted of an offence punishable under Indian Penal Code, Prevention of Corruption Act 1988, etc.
- Section 11:** Empowers Election Commission to remove or reduce the period of disqualification.
- Section 126:** Prohibits **election campaign 48 hours before voting day**.
- Section 29A: Registration of political parties** by election Commission.

## 8. GOVERNANCE

### 8.1 Acts, Laws, Rules and Regulations

#### IPC And CrPC

- IPC determines the **definition of crime**, while the **CrPC** informs about the **criminal investigations process**.

**Bureau of Police Research and Development (BPRD)** reviews some laws.

- Eg. IPC, CrPC, Indian Evidence Act and Narcotic Drugs and Psychotropic Substances Act.
- BPRD under **Ministry of Home Affairs** was set up in 1970.

#### Indian Penal Code (IPC)

- It is the official criminal code of India.
- It is a **comprehensive code** intended to cover all substantive aspects of criminal law.
- It was **drafted in 1860**, on the recommendations of **first law commission** of India.

#### **Code of Criminal Procedure (CrPC)**

- CrPC is the main legislation on procedure for administration of substantive criminal law in India.
- It was enacted in 1973, though initially created in 1882.
- It provides the machinery for the investigation of crime, collection of evidence, determination of guilt or innocence, and punishment.

#### **Protection of Human Rights (Amendment) Act 2019**

- **It amends Protection of Human Rights Act, 1993.**
- **Amendment proposed:**
- **Chairperson of Central Commission:** A Judge of the Supreme Court is also made eligible to be appointed as Chairperson in addition to the Chief Justice of India.
- **Chairperson of the State Commission:** Judge of the High Court is also made eligible to be appointed as chairperson in addition to the Chief Justice of the High Court.
- Increasing the **members** from two to three. **One must be a woman.**
- **New deemed members** include Chairpersons of these bodies -
  - National Commission for Backward Classes,
  - National Commission for the Protection of Child Rights
  - Chief Commissioner for Persons with Disabilities
- Reduces the term of the Chairperson, Members and the State Commissions from five to **three years.**
- They shall be eligible for re-appointment.

#### **Paris Principles (UN)**

- It relates to functioning of national institutions for the **protection and promotion of human rights.**
- It provides international benchmarks against which **National Human Rights Institutions can be accredited** under five heads by **Global Alliance of National Human Rights Institution (GANHRI).**

- It Monitors situation of **violation of human rights.**
- It advises the government on specific violations.
- It has a **mandate to educate and inform about rights.**

#### **Global Alliance of National Human Rights Institution (GANHRI)**

- Also known as the **International Coordinating Committee (ICC) of National Human Rights Institutions.**
- It was established in 1993.
- It provides a **forum for its members to interact** and exchange, as well as facilitating their engagement with international organisations.

#### **Right to Information Act, 2005**

- It sets out the rules and procedures regarding citizens' right to information.
- It replaced Freedom of Information Act, 2002.

#### **Section 2**

- It states that "public authority" means any institution established or constituted:
  - By or under the Constitution.
  - By law made by Parliament or state legislature.
  - Body owned, controlled, or substantially financed by govt.
  - NGOs financed, directly or indirectly by Government.
- Courts are required to decide whether a financial aid constitutes substantial finance or not.

#### **Section 4(2)**

- It mandates every public authority to provide *Suo moto information* to the public various means of communications so that the public need not resort to the use of RTI Act.
- Eg. Jan Soochna Portal of Rajasthan Government.

#### **Section 8(1)**

- It mentions exemptions against furnishing information under the RTI Act.
- These include - national security, privacy, trade secrets, law enforcement and judicial process etc.

### Section 8(2)

- It states information exempted under Sec 8(1) or under the Official Secrets Act, 1923 can be disclosed if public interest is at large.

### Right to Information (Amendment) Act, 2019

- Removal of fixed term-** central government will notify the term of office for the CIC and the ICs (previously 5 years).
- Determination of Salary-** Central Government will determine the salaries, allowances, and other terms and conditions of service of the central and state CIC and ICs.
- Following RTI Rules were introduced:**
  - It grants absolute power to Government to decide “conditions of service” which are not expressly covered under the Rules (in exercise of residuary powers).
    - ✓ In such cases, decision of Central Government is binding upon the ICs.
  - Government has “power to relax” the applicability of provisions of rules.
  - Final interpretation of all the rules rests with Central Government.

### Recent Judgements Related To RTI

**Context:** SC declared that the Office of the Chief Justice of India (CJI) is a ‘public authority’ under Section 2(h) of RTI Act.

- Following information can be disclosed under RTI:
  - ✓ Information about personal assets of judges and CJI is not a violation of their right to privacy.
  - ✓ Names of judges recommended by the Collegium.
- Following information cannot be disclosed under RTI
  - ✓ Reasons cited by collegium for recommendation of judges.

- ✓ Information protected under Section 8 of RTI Act.

**Note:** - NGOs receiving funds from the governments are also under RTI Act.

### New Delhi International Arbitration Centre (NDIAC) Act

- NDIAC to replace** International Centre for Alternative Dispute Resolution (ICADR) as an **Institution of National Importance**.
- Register under the **Societies registration Act, 1860**.
- For the promotion and development of **ADR facilities** in a most professional, cost effective and timely manner.
- Chairperson** - A judge of the Supreme Court or a High Court or an eminent person having special knowledge and experience in the administration of arbitration.

### Motor Vehicles Act, 2019

- It amended 1988 Act.
- It enhanced the penalties for driving errors.
- It constituted a **Motor Vehicle Accident Fund** (compulsory insurance cover).
- It provided for a **National Road Safety Board**.
- It allows government to recall defected vehicles.
- It created category for Offence by Juveniles.

### Arbitration and Conciliation (Amendment) Act, 2019

- It amends the Arbitration and Conciliation Act, 1996 to deal with **domestic and international arbitration**.
- Arbitration Council of India (ACI)** (Independent body) will be set up for promotion of **alternative dispute redressal (ADR)** mechanisms.
- Appointment of arbitrators** will now be done by the **Supreme Court designated arbitral institutions**.
- It removed time restriction for **international commercial arbitrations**:

- Tribunals must try to dispose international arbitration matters within **12 months**.
- **Completion of written submissions** to be completed within **six months of the appointment of the arbitrators**.

#### Citizenship Amendment Act (CAA), 2019

- It amended the Citizenship Act, 1955 by providing a pathway to Indian citizenship.
- **Criteria for not to be treated as illegal migrants** under the Act:
  - they are Hindus, Sikhs, Buddhists, Jains, Parsis or Christians
  - they are from Afghanistan, Bangladesh or Pakistan
  - they entered India on or before **December 31, 2014**
  - they are not in the **Sixth Schedule** or in “**Inner Line**” permit areas.
- All **legal proceedings** against above category of migrants in respect of their illegal migration or citizenship will be closed.
- The period of **naturalisation** has been reduced from **11 years to 5 years** for above category of migrants.
- **Grounds for cancelling OCI registration:**
  - registration through fraud,
  - showing disaffection to the Constitution,
  - engaging with the enemy during war,
  - necessity in the interest of sovereignty of India, security of state or public interest, or
  - if within five years of registration the OCI has been sentenced to imprisonment for two years or more.

#### Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989

**Context:** Recently, Supreme Court upheld the amendments in Act.

#### Amendments:

- Bar against **anticipatory bail**.
- **Section 18A was inserted - Does away** with requirements of undertaking **preliminary inquiry** and of procuring **approval prior to making an arrest**.

- **No procedure other than that specified under the Act and CrPC shall apply.**

#### Key provisions of 1989 Act

- **To prevent the commission of offences** of atrocities against SC/STs by persons other than SC/ST.
- **Special Courts:** For trial, relief and rehabilitation of the victims.
- Central Government can frame rules for carrying out the purpose of the Act.

#### Aadhaar And Other Laws (Amendment) Act, 2019

- **Offline verification** of Aadhaar number holder without authentication, by modes specified by UIDAI.
- **Voluntary use of Aadhaar number as proof** of identity of a person
- **Entities** may be allowed to perform **authentication** through Aadhaar if UIDAI is satisfied.
- **For Aadhaar number of children:**
  - **Consent of parent or guardian** is needed.
  - After attaining 18 years of age, the child **may apply for cancellation** of his Aadhaar.
- **Disclosure of information in certain cases:**
  - Allows disclosure only for orders by **High Courts (or above)**.
  - **National security interest:** Directions for disclosing information **cannot** be made by officers **below the rank of a Secretary**.
- **UIDAI Fund:** For expenses of the UIDAI, including salaries and allowances of its employees.
- **Complaints:** Allows **individual to register complaints** in certain cases, including impersonation or disclosure of their identity.
- **It defines the Aadhaar ecosystem** to include enrolling agencies, requesting agencies, and offline verification-seeking entities.
- **Penalties** provisions:
  1. If it fails to comply with the Act or the UIDAI's directions, and
  2. furnish information required by the UIDAI.

- The Telecom Disputes Settlement and Appellate Tribunal shall be the **appellate authority** against decisions of the **Adjudicating Officer**.

#### Epidemic Diseases (Amendment) Ordinance, 2020

- It amends the Epidemic Diseases Act, 1897
- Objective:** To protect **healthcare personnel and property**, including their living or working premises **against violence during epidemics**.
- The **burden of proof** for the offence **falls on the guilty**.
- These **offences are cognizable and non-bailable**.
- Trial should be concluded **within one year**.

#### Central Civil Services Conduct Rules, 1964

- These rules are a set of **regulations on civil servants**.
- Public servants are prohibited:
  - To edit any newspaper.
  - To accept gifts.
  - To accept private employment after retirement.
  - To publish in their name in any criticism of government.
- State has the power to regulate '**Conditions of Service**'— Article 309 of the Constitution.

#### Aadhaar Authentication Rules, 2020

- Till now, the government allowed Aadhaar for **social welfare benefits** under some programmes. E.g., For PDS System.
- New rules to **expand the scope of Aadhar** for agriculture, education and health schemes etc.
- Central government** may allow Aadhaar authentication for:
  - Use of digital platforms to **ensure good governance**.
  - Prevention of dissipation of **social welfare benefits**.
  - Enablement of **innovation and spread of knowledge**.
- For authentication services, government departments will have to **seek approval of UIDAI**.

- UIDAI** is **statutory body** to manage Aadhaar and runs Aadhaar-based services.
- Only the government agencies** would be allowed to use Aadhaar authentication services, **not any private entity**.

- This is in line with the 2016 Supreme Court judgment.
- Aadhaar (Amendment) Act, 2019 **seeks to effectively allow private entities access** to Aadhaar-based authentication. That, this was challenged in the Supreme Court.

#### Consumer Protection Act, 2019

The Consumer Protection Act, 2019 replaced the 1986 Act.

##### Six “consumer rights” in the new Act:

- The right to be protected** against the marketing.
- The right to be informed** about goods to protect the consumer **against unfair trade practices**.
- The right to assured access** to a variety of goods or products at competitive prices.
- The right to be heard**.
- The right to seek redressal** against unfair trade practice.
- The right to consumer awareness**.

##### Key Provisions:

- Central Consumer Protection Authority (CCPA):** It will be assisted by a Director General of Investigation.
- Simplification of consumer **dispute adjudication process**
- State and District Commissions** are empowered to review their own orders
- Alternate Dispute Resolution mechanism:** No appeal against settlement through mediation.
- Concept of product liability Introduced:** A manufacturer or seller to be responsible to **compensate for injury or damage** to product.
- Punishment for adulterant or spurious goods**, and even cancelation of the license.
- A **Central Consumer Protection Council** as an advisory body headed by the Union Minister of Consumer Affairs, Food and Public Distribution.
- Regarding E-commerce entities:**
  - These are **required to provide information** on return, refund,

- exchange, warranty, etc. including **country of origin**.
- They have **to acknowledge any complaint within 48 hours**.
- They need to **redress the complaint within one month**.
- They need to **appoint a grievance redressal officer**.
- **Sellers cannot refuse to take back goods or withdraw services**, if such goods or services are defective, deficient etc.
- E-commerce companies are **prohibited from manipulating the price** to gain unreasonable profit.

- Approved by two-third the inquiry.
- If bench dismisses complaint at the admission state, its records will not be made public.
- **No complaints** can be filed against a public servant under Army Act, Air Force Act, Navy Act, & Coast Guard Act.
- **Complainant must** provide an **identity proof**.
- **Foreign nationals** can also lodge complaints.
- **Identity** of complainant or accused official to be **protected**.
- **Punishment** for false and frivolous complaint.
- **Complaint language:** Any language of the Eight Schedule, apart from English.
- Complain filing mode: Electronically, by post, or in person.

Provisions	CPA,1986	CPA, 2019
<b>Regulator</b>	No separate regulator	Central Consumer Protection Authority formed
<b>E-Commerce</b>	Not Included	Included
<b>Mediation</b>	Not provided	Settlement through Mediation Cells
<b>Jurisdiction</b>	District Level – Rs.20 lakhs	District Level – Rs. 1 crore
<b>Compensation</b>	Not provided	Consumers can seek compensation

#### Lokpal (Complaint) Rules, 2020

- Notified by **Department of Personnel and Training** under Lokpal and Lokayuktas Act, 2013.

#### Key Features

- **Complaint against a sitting or former PM:** It shall be decided at the admission stage, by a **full bench**.

#### Prohibition of Benami Property Transaction Act,1988

- Amended in 2016.
- **It defines a benami transaction:** It is a transaction where a **property is held** by or **transferred** to a person but has been provided or paid by another person.
- It is **punishable** with imprisonment and fine.
- It allows to provisionally **confiscate** such properties.

#### Real Estate Act, 2016

- It protects **homebuyers** and boost investments.
- It established **Real Estate Regulatory Authority (RERA)** in each state for dispute resolution.
- It regulates **both commercial and residential projects**.

#### Fugitive Economic Offender (FEO) Act, 2018

- It deters FEO from evading the law by **staying outside the jurisdiction** of Indian courts by **confiscating all their properties**.
- **It defines** Fugitive Economic Offender (FEO) as a person:
  - Against whom **arrest warrant** has been issued.

- Value of the offence is at least Rs **100 crore**.
- Has **left the country** and refuses to return.
- **Economic Offences includes:**
  - Counterfeiting currency
  - Dishonoring cheques
  - Benami transactions
  - Defrauding creditors
  - Tax evasion
  - Money-laundering

### Enemy Property

- When nations go to war, they often **seize the properties of the citizens of the enemy country**.
- Such properties are referred to as **alien properties** or enemy properties.
- During **India-China war in 1962**, and **India – Pakistan war in 1965** and **1971**, Central government took over properties of citizens of China and Pakistan in India under the **Defence of India Acts**.

### Custodian of Enemy Property for India (CEPI)

- Responsible for the administration of enemy properties.
- **A Quasi-judicial Authority**, under **Ministry of Home**.
- It may **dispose or sale enemy properties** (with **prior approval** of centre).

### Enemy Property Act, 1968

- It was amended in 2017.
- It regulates the appropriation of enemy property in India.
- The act was passed on the background of Indo-Pak War of 1965.
- Ownership property is passed to the CEPI.

### Amended Act

- Amended act denied legal heirs any right over the enemy property.

### Prevention of Corruption Act, 1988

(Amended in 2018)

- Amendment Act aligned Prevention of Corruption Act with UN Convention against Corruption 2005 (ratified in 2011).
- It is to combat corruption in government sector.
- It criminalised corporate bribery.

- Collusive bribe-givers criminalised at par with bribe-takers for the first time.

	<b>1988</b>	<b>2018 (amendment)</b>
<b>Punishment</b>	6 Months – 3 years	3 years – 7 years
<b>Trial Time</b>	No time limit fixed	2 years - 4 years
<b>Undue Advantage</b>	Earlier ‘gratification other than legal remuneration’	The word is replaced with “undue advantage”.
<b>Forfeiture of Property</b>	Not provided	Can be done

### Section-19

- It does not allow courts to start a trial of a public servant without taking permission from government.
- But an investigation can be initiated.

### Corruption

- It is the **deliberate and intentional exploitation of one's position, directly or indirectly**, for material gains or enhancement of power, prestige, or influence beyond what is legitimate.
- It is the **illegal gratification**, other than legal remunerations.

### Coercive Corruption

- The citizen is **compelled to pay a bribe to get a service to which he is entitled**.
- It includes tools like **delays, harassment, uncertainty, potential danger of loss of life etc.**
- It **increases with increase in state control**.

### Collusive Corruption

- It arises from **collusion between bribe giver and corrupt public servant**. Both parties benefit **at the cost of society**.
- E.g., awarding of public contracts, recruitment, tax evasion, substandard projects, adulteration, and obstruction of justice.
- It **increases with reduction in state control**.

As the economy is freed from state controls, extortionary corruption declines and collusive corruption tends to increase.

#### **Corruption Perception Index (CPI)**

- It is published by Berlin-based Transparency International.
- It considers only public sector corruption. (not private sector)

#### **Anti-Hijacking Act, 2016**

- It replaced 1982 Act.
- It applies even if offence is committed outside India.
- Death penalty can be given.
- Wider definition of aircraft "in service".
- It enforces Hague Hijacking Convention 2010. It prohibits and punishes aircraft hijacking.

#### **Places of Worship (Special Provisions) Act 1991**

**Context:** Supreme Court in its Ayodhya verdict mentioned this Act.

#### **Key provisions of the Act**

- The religious character of a place of worship shall continue to be the same as it was on August 15, 1947.
- No person shall convert any place of worship into a different religious denomination.
- It imposes an obligation on the State to maintain the religious character of every place of worship.
- Exemptions provided:
  - The disputed site at Ayodhya.
  - Monuments and sites covered by the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

#### **8.2 Bills**

#### **The Inter-State River Water Disputes (Amendment) Bill, 2019**

Seeks to replace Inter State River Water Dispute Act, 1956.

#### **Key Provisions**

- Dispute Resolution Committee to resolve the dispute amicably by negotiations within one year (extendable by six months), before referring it to tribunal.

- Single Inter-State River Water Disputes Tribunal dissolving all existing tribunals.
- It prescribes composition of tribunal, timelines.
- Mandatory for Central Government to make a scheme to give effect to Tribunal's decision.
- Data Collection and maintenance of a databank: To be done at national level for each river basin by an agency:
  - To be appointed and authorized by central government.

#### **Constitution (Scheduled Tribes) Order (Amendment) Bill, 2019**

- The Scheduled Tribes Order, 1950, specifies tribal communities which are deemed to be Scheduled Tribes.
- Parivara, Talawara, Siddi tribes of Karnataka are newly added communities.
- About STs and PVTGs: Covered in Social issues PT 360.

#### **8.3 Important Bodies in news**

##### **Autonomous Bodies**

- They are set up and funded by the government for some specified purpose.
- They are audited by Comptroller and Auditor General (CAG).
- While they are independent, but government has some control over it.
- Ratan Watal Committee: To review Autonomous Bodies.

#### **National Crime Records Bureau (NCRB)**

**Context:** NCRB recently released crime data for 2017.

#### **About NCRB**

- It functions as a repository of information on crime and criminals.
- It acts as the National storehouse of fingerprint (FP) records of convicted persons, including those of foreign criminals.
- an attached office of Ministry of Home Affairs.
- It was setup based in 1986, on the recommendations of the National Police Commission (1977-1981) and the MHA's Task force (1985).
- It releases Prison statistics of India.

### Controller General of Accounts (CGA)

Context: Recently new CGA was appointed.

- CGA works under **Department of Expenditure**, Ministry of Finance.
- It functions as **Principal Advisor on Accounting matters** to the Union Government.
- It is **not a constitutional body**.

### National Commission for Protection of Child Rights (NCPNR)

- It is a **statutory body**, established in 2005.
- It works under aegis of **Women and Child Ministry**.
- It **defines** a child as a person who has not achieved the **age of 18 years**.
- Functions and Powers:
  - It presents annual reports to government.
  - It can take **Suo Moto cognizance** on matters of child rights.
  - It can inspect any juvenile custodial home or institution.
- Members:
  - Appointed by Central Government
  - Chairperson: (Eminence + worked for child welfare)
  - 6 members (2 at least women)

### Council for Advancement of People's Action and Rural Technology (CAPART)

- It is an autonomous body set up by the **Ministry of Rural Development**.
- It is chaired by the Union Minister for Rural Development.
- Aim: To improve the quality of life and poverty in rural areas.

### Prasar Bharti

- It is an **autonomous public broadcasting agency**.
- It comes under the Prasar Bharati Act, 1990; and was established in 1997.
- It grants autonomy to All India Radio and to Doordarshan.
- The **President appoints** the Chairman and all other members; **except ex-officio** members.

### Competition Commission of India (CCI)

- It is a **statutory body**, established under the **Competition Act, 2002**.
- Commission has **regulatory and quasi-judicial powers**.
- **Suo-moto** power to enquire about an **anti-competitive agreement**.
- **Chairperson** and 2-6 members.
- Advises Central Government on matters relating to **Competition Policies**.
- But such opinion is **not binding** on the Central Government.

### Bureau of Outreach and Communication (BOC)

- Set up in 2017 by merging
  - **Directorate of Advertising and Visual Publicity (DAVP)**,
  - **Directorate of Field Publicity (DFP)**, and
  - **Song & Drama Division (S&DD)**.
- Works towards **creating an informed citizenry**.
- **Disseminate information on schemes and programmes** of the Government of India, using different **Media Vehicles**.
- **Draft policy guidelines for empanelment of social media platforms** with BoC for Center's paid outreach campaigns.
  - Issued by **Ministry of Information & Broadcasting**.

### 8.4 Other Government initiatives

#### India Enterprise Architecture (IndEA) Framework

Context: **Shillong Declaration on e-governance** adopted at the 22nd National Conference on e-Governance (NCeG) talked about IndEA.

#### What is India Enterprise Architecture (IndEA)?

- It plans to **treat the Government as a single enterprise**, which are functionally inter-related.
- With IndEA, there will be **one personalised account** for each individual to avail all government services.

#### National Population Register

NPR is a list of "**usual residents of the country**".

- **A usual resident** is one who

- has been residing in a local area for at least the last **six months** or
  - Intends to stay in a particular location for the **next six months**.
- The NPR will collect **both demographic data and biometric data**.
  - For biometric data it will **depend on Aadhaar**.
- registering with the NPR is mandatory.
- NPR is being prepared under provisions of the **Citizenship Act 1955 and the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003**.
- It will be conducted in conjunction with **Census 2021**.
  - **Only Assam will not be included**, as it recently completed NRC.
- There is also a proposal to issue **Resident Identity Cards** to all usual residents in the NPR of 18 years of age.

#### How is Census different from NPR?

- Unlike NPR, census **doesn't ask for individual identity details**.
- Census is a **macro exercise**.
- Census data is protected by a **confidentiality clause**.

#### Nationwide NRC

- The National Register of Citizens is a **list of all the legal citizens** of the country, with necessary documents.

#### Criteria for determining the citizenship

- **Citizenship Act - 1955**, Citizenship (Amendment) Act- 2003, **1985 Assam Accord**.
- To implement Citizenship Amendment Act, 2019, citizens and illegal migrants have to be identified.

#### Provisions for people missed out the NRC list

- Not immediately be termed as "foreigners" or illegal immigrants.
- Allowed to **register protests with the Foreigners Tribunal**.
- They can further appeal in the High Court or Supreme Court.
- **Legal aid to the poor** : by the State government
- **Burden of proof**: that whether an individual is a citizen or not, lies upon the

**individual applicant and not on the state** (unlike the Foreigners Act, 1946).

- **Doubtful or D-voters** - are those who lack of proper citizenship credentials. Their inclusion will depend on decision of Foreigners Tribunal.

#### Foreigners tribunals

- **Empower district magistrates** to set up Foreigners tribunals.
- Established by **Ministry of Home Affairs** under Foreigners Act, 1946.
- Decides whether a **person staying illegally** in India is a foreigner or not as per Foreigners Act.
- **Empowers individuals** to approach the Tribunals.

#### Mission Karmayogi

#### National Programme for Civil Services Capacity Building (NPCSCB)

- **To make Indian Civil Servant more creative, constructive, professional, progressive, technology-enabled etc.**
- It will **cover around 50 lakh** Central employees.
- Transition from **Rules based to Roles based Human Resource management**.
- Emphasize on '**on-site learning**': to complement the '**off-site**' learning.
- Calibrate all Civil Service positions to a **Framework of Roles, Activities and Competencies** approach.
- **Partner with the best-in-class content creators**, like public training institutions, universities etc.
- Civil servants to continuously strengthen their **Behavioral, Functional and Domain Competencies**.
- **iGOT Platform**: Integrated Government Online Training.

#### Ranbir Singh committee on Criminal Law Reform

- Constituted by Ministry of Home Affairs is looking at a sweeping overhaul of criminal laws.

#### Objectives: to revise

- **Indian penal code (IPC), 1860**: It defines offences and specifies their respective punishments.
- **Code of Criminal Procedure (CrPC), 1973**: establishes the **machinery for**

- implementation of the IPC and lays down the procedures.
- **Indian Evidence Act, 1872:** elaborates on the rules of taking evidence in order to prove the guilt or innocence of an alleged offender.

### Miscarriage of justice

Remedies available to victim in case of:

- **Constitutional Remedy:** Victim can invoke writ jurisdiction of Supreme Court (Article 32) and high Court (article 226).
- **Private Law Remedy:** Victim can file civil suits against the state.
- **Criminal law remedy:** Victim can use CrPC sections against the concerned officers.

### Expert Bodies on Police and Criminal Law Reform

- National Police Commission 1977-81
- Ribeiro Committee 1988
- Padmanabhaiah Committee 2000
- Malimath Committee 2002-03
- Prakash Singh vs Union of India case, 2006
- II ARC, 2007
- Police Act Drafting Committee II 2015

## 8.5 E-GOVERNANCE

### National e-Governance Division (NeGD)

- Established by Ministry of Electronics and Information Technology to manage National e-Governance Plan (NeGP).
- Aim: to support central and state government agencies in their e-Governance initiatives.
- To make all government services available to the citizens via electronic media.

### PRAGATI (ProActive Governance and Timely Implementation)

- Aim: addressing common man's grievances, and simultaneously monitoring and reviewing important programmes and projects of the central as well as State Governments.

- It is a 3-tier system: PMO, Union Govt. Secretaries, and Chief Secretaries of the States.

### Government Instant Messaging System (GIMS)

- It is an Indian equivalent of popular messaging platforms, such as WhatsApp.
- Used by government agencies for intra and inter organisation communications.
- It is developed by National Informatics Centre (NIC). It is safe as server is in the country.

### Bhuvan Panchayat V 3.0

- It is a Web Geo portal
- Developed by National Remote Sensing Centre of ISRO, under SISDP project (Space Based Information Support for Decentralised Planning)
- To aid gram panchayat development planning process of Ministry of Panchayati Raj.
- Thematic database for the entire country is available.

### Consumer App

- Online consumers grievances registration app.
- Regular Complain Monitoring by the Union Minister of Consumer Affairs, Food and Public Distribution.

### DigiLocker

- It is an initiative of Ministry of Electronics and Information Technology.
- It is a secure cloud-based platform for storage, sharing and verification of documents & certificates.
- On user's death, the uploaded documents would not be accessible by his kin and would automatically pass on to government.

### National E-Service Delivery Assessment (NeSDA)

- NeSDA rankings were released by Department of administrative reforms & PG.
- It primarily assesses all State/UT and Central Ministry service portals.

- Eg. Finance, Labour & Employment, Education etc.

#### Santusht Portal

- **Objective:** promote effective **delivery of public services** and implementation of policies.
- By **Ministry of Labour and Employment.**

#### ASK-DISHA Chatbot

- It is an **Artificial Intelligence based online query resolution chat system.**
- Launched in 2018 by **Indian Railways.**

#### C-Vigil App

- It is launched by **Election Commission.**
- Anyone can report violations of Model Code of Conduct (MCC).

#### Good Governance Index

- It is a uniform tool across States to **assess the Status of Governance.**
- Launched by **Ministry of Personnel, Public Grievances & Pensions**

#### e-GramSwaraj

- To prepare and execute **Gram Panchayat Development Plans.**
- A major step towards **digitization down to GP level.**

#### India Data Portal

- It is **one-stop open data portal.**
- To collate government data, **scattered across multiple sources.**
- In the first phase, the focus is on agriculture data.

#### Swamitva scheme

- **To map rural inhabited lands** using latest survey methods. Eg. Drones.
- **To streamlined planning, revenue collection, disputes** over property rights.
- Property related disputes settlement.
- Launched in pilot mode in 6 states.

#### 9. MISCELLANEOUS

#### Police Commissionerate System

Recently, U.P. announced **commissioner system of policing** for Lucknow and Noida.

Dual system	Commissionerate system
Dual control over the police of:	<b>Unified command structure</b> Commissioner of Police (rank of the Deputy Inspector General or above) as the <b>sole head of the force within the city.</b>
<b>Separation of powers</b> <ul style="list-style-type: none"> <li>• DM (e.g., issues arrest warrants and licenses)</li> <li>• SP (e.g., investigate crimes and make arrests).</li> </ul>	All power is concentrated in Commissioner i.e. policing and magistracy. <ul style="list-style-type: none"> <li>• Directly accountable to state government and state police chief.</li> </ul>

#### India Urban Data Exchange (IUDX)

- **IUDX** is like a department store (for all types of data).
- It is developed by Indian Institute of Science, Bangalore with the Government.
- Aim: to facilitate easy and efficient exchange of data among various stakeholders of Smart Cities.
- After digitizing municipal operations, such as waste flow, water supply, traffic patterns, and surveillance systems, the aim is to feed all data into an Integrated Command and Control Center (ICCC).
- **Integrated Command and Control Center (ICCC)**
  - It is a center where the entire city's information is collected and analyzed.
  - It controls streetlights, parking lights, traffic (including violations and congestions), waste management, water supply etc. through sensors.

#### The World Council on City Data (WCCD)

- It was founded in Canada (2014).

- It provides open city data and comprehensive platform for standardized urban metrics.
- It provides certification to cities based on certain indicators.
- **City Data:**
  - It is launched by **Tata Trusts** and **WCCD** to build data capabilities of cities.
- Some key indicators in WCCD certification are:
  - Governance, Education, Health, Water.
  - Sanitation, Energy, Environment.

#### Fake News

- It means false/misleading information presented as accurate news.
- Types of fake news are:
  - Propaganda
  - Misleading headings
  - Manipulation
  - Misinformation
  - Media Bias
  - Audience Bias
- **Bodies involved in eliminating fake news:**
  - **Press Council of India:** It preserves the freedom of the press and improves the standards of press.
  - **Broadcasting Content Complaint Council (BCCC):** It is an independent self-regulatory body set-up by the Indian Broadcasting Foundation in 2011.
  - **Indian Broadcast Foundation (IBF):** Apex organization of television broadcasters.
  - **News Broadcasters Association (NBA):** It represents the private television news and current affairs broadcasters in India.

#### Municipal Bonds (Muni Bond)

- These are debt securities issued by a state or municipality to finance its expenditures.
- It was issued in 1997 after 74<sup>th</sup> CAA, 1992.
- SEBI regulates to facilitate issuance of municipal debt and listing of debt securities by municipalities in India

#### Redaction

- It is process of ‘removing sensitive information’ from a document prior to publication.

#### Bru agreement

In 1997, following ethnic clashes in Mizoram, nearly 34,000 Brus were accommodated in relief camps in Tripura.

- The agreement was signed by Centre, **Tripura and Mizoram** and representatives of **Bru tribe**.
- To settle the **refugee crisis** of the community.
- Bru refugees will **settle in Tripura** and will be given aid to help with their rehabilitation, including voting rights.
- **Mizoram** will be responsible for repatriated Bru refugees.

#### Democracy Index

- Released by **Economist Intelligence Unit (EIU)**.
- Norway topped the index.
- **India dropped 10 places** to global ranking of 51.
- Index categorises India under “**flawed democracies**”.

#### Central Adverse List

- This list is maintained by **Ministry of Home Affairs**, that contains the names of those who:
  - **Supported Khalistan movement** in 1980s and 90s but fled later.
  - Suspected to have **links with terrorist outfits**
  - **Violated visa norms** in their previous visit to India.
  - Indulged in **criminal activities** in their countries.

#### Waqf Properties

**Context:** 100% geo-tagging of Waqf properties to be done.

- Waqf implies the **endowment of property to God** by a Muslim.
- It is managed by a **mutawali**.
- The **board is recognised as a legal entity** or juristic person.
- Governed by **Waqf Act, 1995**.
  - Each state has a Waqf Board.
  - **Central Waqf Council:** an advisory body under **Ministry of Minority Affairs**.

### PM-CARES Fund

- Formed in 2020 amidst CoVID-19.
- **Objective:** For assistance relating to a public health emergency or any other kind of emergency, calamity or distress either man-made or natural.
- **Prime Minister** is the **ex-officio Chairman** of the Board of Trustees.
- **ex-officio Trustees:** Minister of Defence, Minister of Home Affairs and Minister of Finance.
- **Chairman** (Prime Minister) can nominate **three trustees;** from eminent persons in the field of research, health, science, social work etc.
- Any person appointed a Trustee shall act in a **pro bono capacity.**
- **Contributions:** only voluntary contributions.
- **Exemption under FCRA:** so has also received foreign contributions.
- **Disbursement of the fund:** subject to the criterion/rules laid down by the trustees.
- **Donations to Fund:** qualify for 80G benefits for 100% exemption under the Income Tax Act, 1961. Also counted as Corporate Social Responsibility (CSR) expenditure.
- **Audit:** by independent auditors who will be appointed by the trustees.

### News:

- A petition was filed challenging the legality and the functioning of the PM-CARES Fund.
- The petition cited existence of PM National Relief Fund (PMNRF).
- It was dismissed by Supreme Court.

### Prime Minister's National Relief Fund (PMNRF)

- Formed by Pt. Nehru in 1948.
- Originally created to assist displaced persons from Pakistan.
- Now it provides assistance
  - for calamities. Eg. floods, earthquakes and riots victims.
  - For medical treatment eg. heart surgeries, acid attack etc.
- **Contributions:** Only voluntary donations.
- Exemption under the FCRA so has also received foreign contributions.
- **Fund Disbursement:** subject to the discretion of the Prime Minister.

- **Recognized as a Trust** under the Income Tax Act with Prime Minister as the Chairman.
- **Donations to Fund:** qualify for 80G benefits for 100% exemption under the Income Tax Act, 1961. Also counted as CSR expenditure.
- **Audit:** by an independent auditor outside the Government.

### Kris Gopalakrishnan committee

- Committee for **Non-Personal Data (NPD) Governance** Framework.
- The report defines **three broad purposes for data sharing:** sovereign, public interest and economic purpose.

### Key recommendations

- Create **Non-Personal Data Authority** with regulatory powers.
- Define **roles and stakeholders** like defining Data custodians, Data Principals, Data Trustees, etc.
- **Localization of sensitive NPD** in line with Personal Data Protection Bill, 2019.
- **Requirement of consent** for anonymisation and usage of NPD.
- **Classifications of non-personal data:** The draft report classifies as:
  - **Public non-personal data:** All data collected by government. Eg. census, tax receipts etc.
  - **Community non-personal data:** any data about a set of people.
  - **Private non-personal data:** data produced by individuals. It is further sub-classified into
  - Sensitive nonpersonal data
  - Critical non-personal data

### National Panchayati Raj Day

- **24th April:** The day on which 73<sup>rd</sup> Constitution Amendment Act, 1992 came into force in 1993.

### World Press Freedom Index

- It is launched by a Paris-based NGO- **Reporters Without Borders.**
- This NGO works to combat **attacks on journalists** around the world.

### Spoils System (Patronage System)

- It is the system in which a winning political party rewards its campaign workers and supporters by appointing them to government posts or by other favors.

### National Sports Talent Portal

- It is an initiative of the **Sports Ministry** to attract sporting talent across the country.

### Social Audit

- It means matching real outcomes with intended outcomes while **ensuring social accountability**.
- Accountability is ensured by sharing both financial and non-financial details with the public.
- It gained importance after the **73rd amendment act**.
- National Rural Employment Guarantee Act, 2005** also provides for regular “Social Audits” by establishing **Social Audit Unit (SAU)** to ensure transparency.

### Village Volunteer System of Andhra Pradesh

- A new department of Gram Volunteers.
- In towns, ward volunteers have been appointed.
- A Village Secretariat is set up for a population of 2000.
- Each volunteer is paid Rs. 5000 per month. He has to ensure that benefits reach the people in 50 households in village.

### International Covenant on Civil and Political Rights (ICCPR), 1966

- It is a treaty adopted by UNGA in 1966 (into force 1976).
- It mandates parties to respect the civil and political rights of individuals:
  - Right to life.
  - Freedom of religion, speech, assembly.
  - Right to due process and a fair trial.
- It is a part of followings:
  - International Bill of Human Rights.
  - International Covenant on Economic, Social and Cultural Rights (ICESCR). Universal Declaration of Human Rights.
- It is monitored by the UN Human Rights Committee.
- The Committee normally meets thrice a year in Geneva.
- Optional Protocols to the Covenant:

- It allows individuals to complain to the Committee about violations.
- It abolishes the death penalty.

### One Nation, One Ration Card

- Beneficiaries can **buy subsidized food grains** from a ration shop in any part of the country.
- Ration card Aadhar linkage** is must.
- No new ration cards** are being made specifically for this scheme.
- A person will **only be eligible for the subsidies supported by the centre**. Eg. Subsidies under Nation Food security act, 2013.
  - If a beneficiary moves to a region where grains are given for free, he won't access those benefits.
- A **migrant** will be allowed to **buy maximum of 50% of the family quota**.

### Integrated Management of Public Distribution System (IMPDS)

- It is a **central sector scheme**.
- Implemented under **Ministry of Consumer Affairs, Food & Public Distribution**.
- Implementation of **nation-wide portability in food grains distribution**.
  - Recommended by **Partha Mukhopadhyay committee on Migration**.
- Creation of **Aadhaar based national level data repository** for reduction of ghost beneficiaries.