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## **‘White-cheeked Macaque’**

- Recently, scientists of the Zoological Survey of India (ZSI) have discovered a new mammal species- ‘White-cheeked Macaque’ (*Macaca leucogenis*) in the country.
- This species was first discovered in China in the year 2015, before its existence in India was not known.
- Now Indian scientists have detected its presence in the remote Anjou district of central Arunachal Pradesh.
- The latest discovery has increased the number of mammals in India from 437 to 438.

### **White-cheeked Macaque:**

- The white-cheeked macaque has white cheeks, long and thick hair on the neck and a long tail, making it quite different from other macaques.
- It is the **last** mammal discovered in Southeast Asia.
- Both the Arunachal macaque and the white-cheeked macaque are present in the same biodiversity hotspot in the eastern Himalayas.
- The white-cheeked macaque and the Arunachal macaque (*Macaca munzala*) as well as the other species of macaque are the Assamese macaque (*Macaca assamensis*) and the rhesus macaque (*Macaca mulatta*) that have been found in the same landscape.
- Potential threats to all species of macaque in the landscape are hunting by local people and habitat degradation due to urbanization and infrastructure development.
- This species is not protected by the Wildlife Protection Act of India, as it was not known until now that this species exists in India.
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# World's longest highway tunnel: Atal Tunnel

- Recently the Atal Tunnel has been officially certified by the World Book of Records as the 'World's Longest Highway Tunnel at an altitude of more than 10,000 feet'.
- The World Book of Records UK, is an organization that catalogs and verifies global exceptional records with authentic certification.

## Features of Atal Tunnel:

- The 9.02 km long tunnel is the longest highway tunnel in the world at a height of over 3,000 metres.
- It crosses a mountain to the west of Rohtang Pass and it reduces the distance between Solang valley and Sisu by about 46 km which takes about 15 minutes to cover the whole. Earlier it used to take about 4 hours to travel between these two points.
- Rohtang Pass (elevation 3,978 m) is located in the state of Himachal Pradesh.
- This tunnel is located in the Pir Panjal range of the Himalayas.

## Significance of the tunnel:

- **Connectivity:** The Atal Tunnel is an important step towards providing year-round connectivity to Ladakh. This tunnel connects Ladakh with Manali and Chandigarh throughout the year, as it passes through the Rohtang Pass, which is covered with snow during the winter months.
- **Strategic:** The tunnel provides a strategic advantage to the country's armed forces by providing year-round connectivity to the border areas.
- **Infrastructure:** The residents of Ladakh who had faced immense difficulty to avail basic facilities like health care and food supply can now reach Manali and connect with the rest of the country using this new tunnel. Essential commodities like supply of petrol and vegetables will also be available throughout the year.
- **Boon for farmers:** The reduction in travel time helps many, especially those farmers whose valuable crops like peas and potatoes will not rot in trucks before reaching the market.

- **Promotion of Tourism:** The region has witnessed unprecedented growth in tourist arrivals and in a little over a year, the Valley and the State have seen considerable development in the socio-economic sphere.

## Death Penalty: Supreme Court

- Recently, the Supreme Court commuted the death sentence of a man convicted of raping and murdering a seven-year-old girl to life imprisonment.
- This decision could set an important precedent for reasons opposing the death penalty.

### SC's verdict on the present matter:

- The Supreme Court modified the sentence of life imprisonment to 30 years without any exemption.
- The Supreme Court advised the trial judges that they should equally consider the factors of life imprisonment only because of the horrific nature of the crime and its deleterious effect on the society.
- SC noted the development of principles of penology and said that penology is necessary to accommodate the principle of "preservation of human life".
- Penology is a sub-component of criminology that deals with the philosophy and practice of various societies in their efforts to suppress criminal activity.
- SC said, the death penalty acts as a deterrent and "response to society's call for just punishment in cases".
- The doctrine of punishment "has been developed to balance the other obligations of the society, which include protecting human life and protecting and serving the society.

### Death penalty:

- The death penalty, also known as the death penalty, is the highest punishment awarded by a court to an offender for a criminal act. Usually it is given in very serious cases like murder, rape, treason etc.
- The death penalty is seen as the most appropriate punishment and effective deterrent for the worst crimes. However, those who oppose it consider it inhumane. The morality of the death penalty is thus a matter of debate, and many human rights activists and socialists around the world have long called for an end to the death penalty.

### Arguments in favor of the death penalty:

- **Vengeance:** One of the main principles of retribution is that people should be given the punishment they deserve in proportion to the severity of their crime.
- It has been said in this argument that the person committing murder takes away the right to life of someone, due to which his right to life also ends. Thus the death penalty is a form of retribution.
- **Prevention:** The death penalty is often justified with the argument that by giving the death penalty to convicted murderers, we can prevent murderers from killing people.
- It is often argued that the death penalty serves to provide satisfaction to the families of the victims.

### Arguments in opposition to the death penalty:

- **Deterrence ineffective:** Statistical evidence does not confirm that this preventive procedure works. There is no evidence to determine that the death penalty has reduced the number of crimes such as rape and murder.
- Death has been prescribed in rape cases since 2013 (Section 376A of IPC), yet the incidents of rape generally keep coming up and in fact the brutality of rape has increased manifold. It makes everyone think that the death penalty is an effective deterrent for crime.
- **Threat of punishment to the innocent:** The most common argument against the death penalty is that mistakes or lapses in the justice system can kill innocent people sooner or later.
- **According to Amnesty International,** as long as humanitarian justice remains flawed, the risk of execution of the innocent cannot be eliminated.
- The death penalty has been abolished as a punishment in most developed countries.
- **Lack of rehabilitation:** The death penalty does not rehabilitate the prisoner so that he can return to society.

### Status of Death Penalty in Indian Context:

- Prior to the Criminal Procedure (Amendment) Act (CrPC) of 1955, death penalty and life imprisonment were an exception in India.
- Apart from this, the court was bound to give an explanation for giving lighter punishment in place of death penalty.
- After the amendment of the year 1955, the court was free to give death sentence or life imprisonment.
- As per Section 354(3) of CrPC, 1973, the courts are required to give reasons in writing for giving maximum punishment.
- Presently the situation is the opposite, in which for serious offenses the punishment of life imprisonment is a rule and the death penalty is an exception.
- Apart from this, the death penalty in India continues despite the United Nations' global ban against the death penalty.

- India is of the view that less punishment to criminals convicted of ruthless, willful and brutal murder will reduce the effectiveness of this law which will result in the travesty of justice.
- In this context, in the 35th report of the Law Commission of 1967, the proposal to abolish the death penalty was rejected.
- According to official figures in India, 720 people have been hanged since independence in 1947, which is a small fraction of those sentenced to death by subordinate courts.
- In most cases the death penalty was commuted to life imprisonment and in some cases acquitted by the High Courts.

### Other decisions of the Supreme Court on the death penalty

- **Jagmohan Singh vs State of Uttar Pradesh Case (1973):** The Supreme Court held that according to Article 21, deprivation of life is constitutionally permissible if it is done in accordance with procedure established by law.
- Thus, as per legally established procedures under CrPC and Indian Evidence Act 1872, post-trial death sentence is not unconstitutional under Article 21.
- **Rajendra Prasad vs State of Uttar Pradesh Case (1973):** The Supreme Court held that if a person's criminal act in a planned and dangerous manner endangers social security, his Fundamental Rights can be abrogated.
- **Bachan Singh vs State of Punjab Case (1980):** The Supreme Court propounded the phrase 'rarest of rare cases' according to which death penalty should not be awarded in any case except 'rarest of rare cases'.

### The 'rarest cases' can be defined on the following grounds:

- When the murder is committed in an extremely cruel, ridiculous, diabolical, rebellious, or reprehensible manner to cause intense and extreme outrage in the community.
- When the motive behind the murder is outright corruption and cruelty.
- **Machi Singh vs State of Punjab Case (1983):** The Supreme Court presented its views on whether or not to include any case in the category of 'rarest of rare cases'.

### Way forward:

- Comprehensive social reforms, sustained governance efforts, and strengthening of investigation and reporting mechanisms are needed to tackle crimes against women and children, rather than merely increasing punishment.

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