



Yojna IAS

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JANUARY 2024

WEEKLY CURRENT AFFAIRS

YOJNA IAS WEEKLY CURRENT AFFAIRS

08/01/2024 TO 14/01/2024

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CURRENT AFFAIRS

JANUARY 2024

PRITHVI VIGYAN SCHEME

This article covers ' Daily Current Affairs ' and the content details of ' PRITHvi Vigyan Scheme ' This content is applicable in the "Science & Technology " section of the UPSC CSE exam.

UPSC Mains GS3 Syllabus : Science and technology- developments and their applications and effects in everyday life.

Why in the News?

The Union Cabinet, led by the Prime Minister, has approved the "Prithvi Vigyan (Prithvi)" scheme, an important Ministry of Earth Sciences' project.

The initiative has a budget of Rs 4,797 crore and is scheduled to run from 2021 to 2026.

About PRITHvi Vigyan (PRITHVI) Scheme :

The scheme includes five ongoing sub-schemes, which are as follows:

- 1) **ACROSS** : Atmosphere and Climate Research-Modeling Observing Systems and Services. It focuses on long-term data as well as advanced weather and climate modelling systems. The primary goals of ACROSS are to improve the accuracy and reliability of weather and climate predictions, to understand the underlying mechanisms of climate variability and change, to monitor and evaluate air quality and its consequences on health and the environment, and to develop and deploy cutting-edge atmospheric research observing systems.
- 2) **O-SMART** : Ocean Services, Modelling Application, Resources, and Technology. It aims for long-term exploration and utilisation of marine resources through the application of cutting-edge technology. O-SMART's main goals are to provide reliable and precise ocean information and advisory services for a variety of sectors such as fisheries, navigation, coastal management, disaster management, and security, to explore and harness ocean resources such as minerals, energy, and biotechnology, to develop and deploy cutting-edge ocean technology for observation, exploration, and exploitation, and to improve human resource development and international cooperation in the ocean.
- 3) **PACER** : Polar Science and Cryosphere Research. It seeks to unravel the secrets of the Earth's poles and glacial regions, hence contributing to a better understanding of global climate change. It monitors and predicts changes in the cryosphere and their impact on water supplies and sea

level rise, as well as participates in international scientific collaborations and polar regions' management.

- 4) SAGE : Seismology and Geosciences. It works to improve earthquake monitoring and research on the solid components of the Earth. It attempts to comprehend the seismicity and tectonics of the Indian subcontinent and its surrounding region, try to figure out the possibility of earthquakes and threat to various regions of India, and to raise the public's awareness about earthquake safety.
- 5) REACHOUT : research, education, training, and outreach. It promotes growth of talents and makes sure that the research is effectively translated into services that benefit society. Its objective is to improve the quality and quantity of earth science human resources by various schemes such as grants, financial aid, internships, training programmes, and so on, as well as to foster an environment of innovation and entrepreneurship in earth sciences through multiple channels such as incubation centres, hackathons, challenges, and so on.

Major objectives of the Scheme are -

- Long-term observations of the atmosphere, ocean, geosphere, cryosphere, and solid earth to record the vital signals of the Earth System and change.
- Developing Modelling systems for understanding and predicting weather, ocean, and climate risks, as well as understanding the science of climate change.
- Exploration of the Earth's polar and high seas regions in search of new phenomena and resources.
- Technology development for the investigation and sustainable utilisation of oceanic resources for societal purposes.
- Knowledge and ideas from Earth systems science are translated into services for societal, environmental, and economic benefit.

Significance :

These integrated research and development efforts will assist in the study of the earth system sciences through all five components of the earth system (weather, climate, ocean, cryosphere, and seismological science).

- Analyse the living and non-living resources for their long-term utilisation.
- It would enable the development of integrated multidisciplinary earth science research and innovative programmes across various MoES institutes.
- The research programme intends to help a variety of industries, from environmental conservation and resource management.
- PRITHVI's focus encompasses the Earth's different dynamic systems, from atmospheric conditions to seismic activity.

Ministry of Earth Sciences :

- It is responsible for transforming science into societal services, by giving services in the climate, weather, ocean and coastal state, hydrology, seismic research, and disasters.
- It also examines and utilises marine resources in a sustainable manner, as well as exploring the Arctic, Antarctic, and Himalayan poles.
- MoES provides meteorological forecasts, natural disaster warnings, tsunami alarms, and earthquake surveillance.
- These services are used efficiently by organisations and state governments to protect lives while minimising property damage caused by disasters.

Conclusion :

PRITHVI is an ambitious initiative that would boost India's skills in Earth systems science while also providing vital contributions for policy development, planning, and development. It will also aid in global efforts to address climate change and natural disasters.

Mains practice question :

Q1) How will the Ministry of Earth Sciences' PRITHvi Vlgyan (PRITHVI) initiative aid in the nation's efforts to mitigate climate change while boosting environmental resilience?

PERSONS WITH DISABILITIES: WELFARE AND EMPOWERMENT

Source - 'The Hindu'

General Studies: Social Justice, Government Welfare Schemes



WHY IN DISCUSSION / NEWS?

- Recently, Ms. Heba Hagraas of Egypt has been appointed by the United Nations Human Rights Council as the Special Rapporteur on the Rights of Persons with Disabilities from 1 November 2023. Ms. Heba Hagraas is renowned worldwide as a sociologist, a lawyer, an international disability consultant and a researcher. She has also worked as a representative for the rights of persons with disabilities, particularly women with disabilities, with extensive experience in Egypt, the Arab region, and around the world. Between 2015 and 2020, Ms. Hagraas worked in Egypt as a Member of Parliament, promoting the rights of persons with disabilities in legislative reforms and as Secretary General of the National Council for Disability Affairs. She has also been a founding member of the Arab Organization of People with Disabilities, where she was active between 1998 and 2008, including as head of the Women's Affairs Committee.
- The theme of World Day with Disabilities in the year 2022 was - "Transformative solutions for inclusive development".
- In 1992, the United Nations declared 3 December as the International Day of Persons with Disabilities (IDPD). This day is celebrated every year across the world with the intention of promoting the rights and welfare of persons with disabilities by raising awareness about the situation of

persons with disabilities in every aspect of political, social, economic and cultural life.

- In India, every year on the occasion of International Day of Persons with Disabilities, National Awards are presented to certain individuals/institutions/States/Districts for outstanding achievements in empowerment of persons with disabilities. These awards are given under the following 14 categories:-
 - (i) Best employee/disabled person self-employed.
 - (ii) (a) Best employer (b) Best placement officer or agency.
 - (iii) (a) Best individual or (b) Best institution working for the disabled.
 - (iv) Role Model (1) Best applied research or innovation or product development aimed at improving the lives of persons with disabilities.
 - (v) Excellent work in creating a barrier free environment for persons with disabilities.
 - (vi) Providing best rehabilitation services.
 - (vii) Best State Channelizing Agency of National Disabled Association Development Corporation.
 - (viii) Outstanding Creative Adult with Disability and Best Creative Child with Disability.
 - (ix) Best Braille Press.
 - (x) Best' accessible website.
 - (xi) Best State in promoting empowerment of persons with disabilities and implementation of Sugamya Bharat Abhiyan and
 - (xii) Best Disabled Sportsperson.

There are many causes of disability – some of which are known and some of which are difficult to diagnose. In case of known causes, preventive measures can help reduce the incidence of both congenital and acquired disabilities. In the Rights of Persons with Disabilities Act, 2016, disability has been defined based on an evolving and dynamic concept. The Act enumerates 21 types of disabilities instead of the earlier seven types and empowers the Central Government to modify the list from time to time. It replaced the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, which fulfills obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), to which India is a signatory.

MEANING AND DEFINITION OF DISABILITY :

- A person may be disabled in one particular environment but may not be disabled in many places. Disability is often defined as a defect, disturbance, or impairment in the normal functioning of physical, mental, or psychological processes, or as having difficulty learning or adjusting socially, which interferes with normal growth and development. . In the Rights of Persons with Disabilities Act, 2016 (RPWD Act), persons with disabilities, persons with benchmark disabilities, and persons with disabilities with high support needs have the following meanings:-
- Disabled person – A person with a long-term physical, mental, intellectual or sensory impairment, which hinders his or her interaction with others and his or her full and effective participation in society on an equal basis is called a person with a disability.
- Benchmark person with disability – A person with at least 40 per cent of the specified disability where the specified disability is not defined in measurable terms and includes a person with a disability where the specified disability is defined in measurable terms, as Has been certified by the certification authority.

PERSONS WITH DISABILITIES REQUIRING HIGH SUPPORT –

- A person with benchmark disability requiring a high level of support certified under clause (a) of sub-section (2) of section 58 of the Persons with Disabilities Act. According to the 2011 census, the estimated number of persons with disabilities in India is 2.68 crore (2.21 percent of the total population of India). Out of the total population of these disabled people, approximately 1.50

crore are men and 1.18 crore are women. These include persons with visual, hearing, speech and mobility impairments, mental illness, mental retardation (intellectual disability), multiple disabilities and other disabilities. According to the Office of the Registrar General and Census Commissioner of India, about 36 percent of persons with disabilities are working (men – 47 percent and women – 23 percent). Among disabled workers, 31 percent are agricultural labourers. 50 percent of disabled children in the age group of 15-59 years are employed, while 4 percent of disabled children in the age group below 14 years are employed.

CONSTITUTIONAL RIGHTS :

- The Constitution of India, through its Preamble, inter alia, seeks to secure to all its citizens; justice, social, economic and political; Freedom of thought, expression, faith, belief and worship; Equality of status and opportunity. The relevant extracts from the Eleventh Schedule (Article 243-G) ensure social welfare including the welfare of persons with disabilities and the mentally retarded (Entry No. 26), and the Twelfth Schedule (Article 243-W) provides for the welfare of the vulnerable, persons with disabilities and the mentally retarded in society. It has been said to protect the interests of all sections of society (Entry No. 09).

LAWS RELATED TO PROTECTION AND WELFARE OF PERSONS WITH DISABILITIES :

The following laws related to the protection and welfare of persons with disabilities currently exist in India –

1. Indian Rehabilitation Council Act, 1992
 2. Rights of Persons with Disabilities Act, 2016
 3. National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999
 4. Mental Health Care Act, 2017
- The Ministry of Social Justice and Empowerment, Government of India, looks after the functions related to the first three laws. The fourth Mental Health Care Act, 2017 legislation belongs to the Ministry of Health and Family Welfare, Government of India.
 - Rehabilitation Council of India Act, 1992: This Act provides for the constitution of the Rehabilitation Council of India (RCI) to regulate the training of rehabilitation professionals and the maintenance of a Central Rehabilitation Register (CRR) and for matters connected therewith or incidental thereto. Around 750 teacher training institutes and 14 State Open Universities across the country are running RCI approved courses. They offer certification for M.Phil-level courses. At present, 60 courses covering all 16 categories of professionals/personnel allotted to RCI are operational through regular mode.
 - National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999: The Government of India has enacted this Act with the objective of providing for the welfare of persons with autism, cerebral palsy, mental retardation and multiple disabilities and persons connected therewith or connected therewith. A body is to be constituted for the welfare of individuals at the national level for incidental matters. The objective of the Trust is to provide complete care to persons with mental retardation and cerebral palsy and also to manage the properties given to the Trust.
 - Rights of Persons with Disabilities Act – 2016: This Act gives effect to the United Nations Convention on the Rights of Persons with Disabilities and matters connected therewith or incidental thereto. The responsibility is placed on the appropriate governments to take effective measures to ensure that persons with disabilities enjoy their rights equally with others. Disability has been

defined based on an evolving and dynamic concept.

- Mental Health Care Act – 2017: The objective of the Mental Health Care Act, 2017 is to ensure mental health care and services for persons with mental illness and to protect the rights of such persons during the delivery of mental health care and services and in matters connected therewith or incidental thereto. To protect, promote and fulfill them.

NATIONAL POLICY FOR PERSONS WITH DISABILITIES IN INDIA:

- The Department of Empowerment of Persons with Disabilities, Government of India has decided to review the existing National Policy for Persons with Disabilities, 2006 and take into account the provisions of the RPWD Act, 2016, United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and global best practices in the management of disability. A committee has been constituted under the chairmanship of Secretary, DEPWD to suggest a new policy document.

IMPORTANT RIGHTS OF DISABLED PEOPLE IN INDIA :

RIGHT TO EDUCATION :

- The Right to Education Act promises new incentives for the education of children with special needs (CSWN) in an enabling inclusive environment, irrespective of the category and degree of disability. The teacher qualifications notified by NCTE under Section 23 of the RTE Act recognize persons with special education (D.Ed and B.Ed special education) as teachers at par with other teachers and the deployment of such teachers in general schools is a positive .

RIGHT TO ADMISSION TO HIGHER EDUCATION :

- As per the Rights of Persons with Disabilities Act, 2016, all institutions of higher education receiving government aid must reserve at least 5 per cent of seats for persons with benchmark disabilities and allow them a minimum age relaxation of five years for admission. Will happen.

RIGHT TO EMPLOYMENT :

- The Department of Personnel and Training, Government of India, issued a circular to all Ministries and Departments on January 15, 2018, specifying 4 percent reservation for persons with benchmark disabilities in specified government jobs under Section 34 of the RPWD Act, 2016.

RIGHT OF LEGAL GUARDIANSHIP :

- Persons with autism, cerebral palsy, mental retardation and multiple disabilities are in a special situation because even after attaining the age of 18 years, they are not always able to manage their own lives or take legal decisions for their own betterment. Can happen. Therefore, they may need someone to represent their interests in legal areas throughout their lives. Under Section 14 of the National Trust Act, a local level committee headed by the District Collector is empowered to receive applications and appoint persons with autism, cerebral palsy, mental retardation and multiple disabilities. It also provides mechanisms to monitor and protect their interests including their properties.

RIGHT OF ACCESS :

- To enable persons with disabilities to live independently and participate fully in all aspects of life, on an equal basis with others, including the physical environment, transportation, information and communications, information and communication technologies and systems Appropriate measures are required to ensure access to, and other facilities and services which are open or provided to the public. These measures include identification and elimination of barriers to

access.

RIGHT TO DISABILITY CERTIFICATE :

- A person with disability, who wishes to avail benefits under the Rights of Persons with Disabilities Act, must obtain a disability certificate from the medical authority notified for the purpose. The certificates are issued on the basis of guidelines prepared by the Department of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India. It is the responsibility of the State Governments to issue disability certificates on the basis of applications received from the disabled. They are required to have a medical report explaining the type of disability, and the minimum degree of disability should be 40 percent. The certification process starts with the person with disability or the parents contacting the nearest district hospital to obtain the disability certificate through the medical board. The Medical Board then forwards the cases to specialized medical sub-committees for different types of disabilities.
- Nodal Agency for Ensuring Rights of Persons with Disabilities: To focus on policy issues and give meaningful emphasis to activities aimed at the welfare and empowerment of persons with disabilities, a separate Department of Empowerment of Persons with Disabilities (Divyangjan) has been established from the Ministry of Social Justice and Empowerment, Government of India. Was created. The Department acts as a nodal agency for matters related to disability and PWDs including effecting close coordination among various stakeholders.
- Institutional framework for empowerment of persons with disabilities: Apart from the legal framework, extensive infrastructure has been developed by the Central Government. The Government of India has established 13 National Institutes under various Ministries for the empowerment of persons with disabilities. Apart from the national institutions, the Ministry of Social Justice and Empowerment has also established 20 Comprehensive Rehabilitation Centers (CRCs) and about 200 District Disability Rehabilitation Centers (DDRCs) for skill development, rehabilitation and empowerment of persons with disabilities (Divyangjan). In addition, 750 private institutions are conducting training courses for rehabilitation professionals.

THE LIST OF NATIONAL INSTITUTES OF HEALTH AND CARE FOR PERSONS WITH DISABILITIES IN INDIA ARE :-

Institute for Physically Handicapped, New Delhi

National Institute for Visually Disabled, Dehradun

National Institute of Orthopedic Disabilities, Kolkata.

National Institute for Mentally Handicapped, Secunderabad.

National Institute for Hearing Handicapped, Mumbai

National Institute of Rehabilitation and Research, Cuttack.

National Institute for Empowerment of Persons with Multiple Disabilities, Chennai.

STATUTORY BODIES ENSURING RIGHTS OF PERSONS WITH DISABILITIES:

- Chief Commissioner for Persons with Disabilities (CCPD): The office of the CCPD comes under section 74(1) of the Rights of Persons with Disabilities Act, 2016. Empowered Chief Commissioner of PWD to review the safeguards provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and to recommend measures for their effective implementation. Has gone. These include a review by the Chief Commissioner of the factors that impede the benefits of the rights of persons with disabilities. Chief – Commissioner, on his own motion or on the application of any aggrieved person or otherwise, prohibiting the deprivation or non-implementation of rights of persons with disabilities or rules, bye-laws, regulations made or issued for the welfare and protection of rights of PWDs, Can look

into complaints related to executive orders, guidelines or instructions and take up the matter with the concerned authorities. The Chief Commissioner of PWD has been entrusted with some of the powers of a civil court for effective discharge of functions.

- National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities: The National Trust is a statutory body established under the National Trust Act 1999. The National Trust has been established to discharge two basic duties. Legal duties are discharged through local level committee and welfare duties are discharged through various schemes implemented by registered organizations. The activities of the National Trust inter alia include training, awareness and capacity-building programs and shelter, care and empowerment. The National Trust is committed to equal opportunities, protect the rights and facilitate full participation of Persons with Disabilities (PWDs) covered under the Act.

REHABILITATION COUNCIL OF INDIA (RCI) :

- The Rehabilitation Council of India has been given statutory status by an Act of Parliament, namely, the Rehabilitation Council of India Act, 1992. The Council is mandated to regulate and monitor training programs for professionals and personnel in the field of rehabilitation and special education and to promote research in rehabilitation and special education and maintain a central rehabilitation register.

SKILL COUNCIL FOR PERSONS WITH DISABILITIES (SCPWD) :

- A separate Sector Skill Council for Persons with Disabilities has been set up by the Ministry of Skill Development and Entrepreneurship with a Chairman and a full-time CEO from the private sector. The Council has various members representing government and private sector stakeholders and NGOs working for persons with disabilities.

The following measures/provisions have been made by the Government of India for the empowerment of persons with disabilities –

- The Government of India notified the Rights of Persons with Disabilities Rules on June 15, 2017. These rules also specify accessibility standards for the built environment, passenger bus transport and websites, as well as the procedure for applying for and granting disability certificates, publication of an equal opportunities policy, methods of utilization and management of the National Fund, etc. .
- The Government of India notified guidelines for assessment of specified disability status of an individual on January 04, 2018. These guidelines provide a detailed process of assessment as well as the structure of the competent medical authority to issue disability certificates for different categories.
- Department of Empowerment of Persons with Disabilities, Government of India notified the Rights of Persons with Disabilities (Amendment) Rules on March 08, 2019, specifying an assessment board, the composition of such boards, the manner of assessment of benchmark persons with disabilities demanding high support needs Was.
- States have been advised from time to time to make rules as per Section 101 of the Act. As of March 31, 2020, 31 States/UTs have notified rules under the said Act.
- The Department of Empowerment of Persons with Disabilities, Government of India has constituted the Central Advisory Board on Disability vide notification dated November 08, 2017. The Central Advisory Board has met four times so far.



CHALLENGES :

- The biggest challenge in India is to bring about a change in the perception of the general public towards the disabled. Therefore, creating awareness towards persons with disabilities is important not only among the general public but also to change the mindset of persons with disabilities and to increase their self-confidence at the planning and execution level for the state governments and local bodies to create a barrier-free environment for persons with disabilities. There is a strong need for cultural assimilation of accessibility standards.
- An estimated 1.3 billion people experience significant disability. That's 16% of the world's population, or 1 in 6 people, who has a disability.
- Some people with disabilities die 20 years earlier than people without disabilities.
- People with disabilities have double the risk of developing conditions such as depression, asthma, diabetes, stroke, obesity or poor oral health.
- Persons with disabilities face many health inequalities.
- People with disabilities face 15 times more difficulty finding inaccessible and ineffective transportation than people without disabilities.
- Health disparities stem from the unfair conditions faced by persons with disabilities, including stigma, discrimination, poverty, exclusion from education and employment, and barriers to access to the health system.
- Social exclusion for persons with disabilities and barriers to access to the health system are common in India.

STRUCTURAL FACTORS :

- People with disabilities experience ableism, stigma and discrimination in all aspects of life, which impacts their physical and mental health. Laws and policies can deprive them of their decision-making rights and allow many harmful practices in the health sector, such as forced sterilization, involuntary admissions and treatment, and even institutionalization.

SOCIAL DETERMINANTS OF HEALTH :

Poverty, exclusion from education and employment, and poor living conditions all increase the risk of poor health and unmet health care needs among persons with disabilities. Gaps in formal social support mechanisms mean that persons with disabilities are dependent on the support of family members to engage in health and community activities, putting not only them at a disadvantage but also their caregivers (who are mostly women and girls).

RISK FACTOR :

- Persons with disabilities are more likely to have risk factors for non-communicable diseases such as smoking, poor diet, alcohol consumption and lack of physical activity. A major reason for this is that they are often deprived of public health interventions.

HEALTH SYSTEM :

- Persons with disabilities face barriers in all aspects of the health system. For example, lack of knowledge, negative attitudes and discriminatory practices among health workers; inaccessible health facilities and information; and lack of information or data collection and analysis on disability, all contribute to the health disparities faced by this group.
- WHO works to ensure that persons with disabilities have equitable access to effective health services, to achieve the highest attainable standard of health and to access emergency inter-regional public health preparedness and public health interventions

TO ACHIEVE THIS GOAL, THE WORLD HEALTH ORGANIZATION (WHO) DOES THE FOLLOWING:

- The World Health Organization (WHO) guides and supports Member States on disability inclusion in health system governance and planning.
- Facilitates the collection and dissemination of data and information related to disability.
- Develops standard tools, including guidelines, to strengthen disability inclusion in the health sector.
- Builds capacity between health policy makers and service providers.
- It promotes strategies to ensure that people with disabilities have information about their health conditions, and that health care workers support and protect the rights and dignity of persons with disabilities.
- Contributes to the United Nations Disability Inclusion Strategy (UNDIS) to promote “sustainable and transformative progress on disability inclusion through all pillars of the UN’s work”.
- Provides updated evidence, analysis and recommendations related to disability inclusion in the health sector to Member States and development partners.

PRACTICE QUESTIONS FOR PRELIMINARY EXAM:

Q.1. Match the list of national institutions and places with states for the treatment and care of persons with disabilities in India.

Institute

(1) National Institute for Visually Disabled Persons

(2) National Institute for Mentally Handicapped

(3). National Institute of Hearing Handicapped

(4) National Institute for Empowerment of Multiple Disabilities

Location

(a) Dehradun.

(b) Secunderabad.

(c) Chandigarh.

(d) Patna.

Which of the above statement /statements is correct?

(A) Only 1, 2 and 3

(B) Only 1, 3 and 4

(C) Only 1 and 2

(D) None of these.

Answer – (c)

PRACTICE QUESTIONS FOR MAIN EXAM:

Q.1. How are all the fundamental rights of India protected in the lives of persons with disabilities? To what extent has the ‘Rights of Persons with Disabilities Act’ 2016 contributed in eliminating various

factors associated with disability in India?

INDIA TO JOIN SKA OBSERVATORY AS A FULL MEMBER

This article covers 'Daily Current Affairs' and the topic details of 'India's participation in the Square Kilometer Array (SKA) Project.' This topic is relevant in the "Science and Technology" section of the UPSC CSE exam.

UPSC Mains GS-3 Syllabus : Achievements of Indians in Science & Technology, Space Technology

Why in the News?

The Government of India has approved the participation of India in the international science project, Square Kilometre Array (SKA), at a cost of ₹ 1250 Cr. This clearance covers funds for the international SKA Observatory (SKAO) construction phase for the next seven years.

About SKAO

- SKAO is an intergovernmental organisation dedicated to the construction and operation of sophisticated radio telescopes. Its global headquarters are at the Jodrell Bank Observatory in the United Kingdom.
- The SKAO is a network of thousands of antennas that will be deployed in remote areas of Australia and South Africa.
- The SKA project will be built in two parts, the first of which began in December 2022 (SKA1).
- SKA1 is scheduled to start operations in 2029.
- The UK, Australia, South Africa, Canada, China, France, India, Italy, and Germany are among the countries involved in the SKA's construction.

India's participation in SKAO :

- Since its inception in the 1990s, India has played an important part in the progress of the SKAO project, through the Pune-based National Centre for Radio Astrophysics (NCRA) and other institutes.
- Within the SKA, NCRA was given charge of the successful construction and operation of the Giant Metrewave Radio Telescope (GMRT).

Importance of SKA telescope :

It aspires to answer basic astrophysical, cosmological, and astrobiological problems. These include the origins of interstellar magnetism, the nature of dark matter and dark energy, and the search for extraterrestrial life. Some other questions scientists hoping to be answered by SKA are :

1. The origins of the universe,
2. The birth of the first stars
3. A galaxy's life span,
4. Investigating the prospect of discovering technologically advanced civilizations elsewhere in our galaxy
5. Tracing the origins of gravitational waves.

SKA Telescope Design and Features :

- A radio telescope's essential components generally comprise a 'big parabolic dish' or a collection of smaller dishes that gather and focus incoming radio waves, a 'receiver' that converts radio waves into electrical signals, and a computer unit that processes and analyses the data. The dish or array is frequently installed on a moveable construction, allowing astronomers to position the telescope towards various portions of the sky.
- In South Africa, the SKA will consist of 197 parabolic radio antennas.

What is a Radio telescope ?

1. A radio telescope is a type of telescope that detects and collects radio waves emitted by celestial objects.
2. Radio telescopes, as compared to optical telescopes, are designed to capture radio waves emitted by astronomical objects.
3. The wavelengths of radio waves are longer than those of visible light, ranging from a few millimetres to several metres.
4. Radio telescopes, contrary to optical telescopes, can be utilised both during the day and at night.
5. Radio telescopes are essential for analysing astronomical phenomena like pulsars, quasars, galaxies, and cosmic microwave background radiation. They provide insightful data about the universe, particularly on radio-emitting objects and processes.
6. Astronomers can examine celestial phenomena and processes that are not visible in the optical spectrum by observing in the radio frequency range.

Some major Radio Telescopes are :

- Five-hundred-meter Aperture Spherical Telescope (FAST) : China
- Green Bank Observatory (GBT) : USA
- Giant Metrewave Radio Telescope (GMRT) : India
- Atacama Large Millimetre/submillimetre Array (ALMA) : Chile
- Yevpatoria RT-70 : Ukraine

Conclusion :

India's participation in the Square Kilometre Array Observatory project provides prospects for technological growth, worldwide cooperation, talent development, and a boost in India's reputation in the international scientific community rather than just another tool for scientific exploration.

Prelims practice questions

- Q1) When it comes to studying astronomical objects, what advantages do radio telescopes have against optical telescopes?
- a. Improved resolution
 - b. The ability to see through clouds and interplanetary dust
 - c. Increased sensitivity to visible light
 - d. Increased magnification

Answer: B

- Q2) What is the objective of a radio telescope's "dish" or "parabolic reflector"?

- A. To improve radio signals
- B. To steer radio waves towards the receiver
- C. To produce radio signals

D. To eliminate interference from the Earth's atmosphere

Answer: B

Mains practice questions :

- Q1) Examine the major contributions of the Giant Metrewave Radio Telescope (GMRT) in India to astronomy. Discuss its unique features and capabilities.
- Q2) What are the challenges and benefits of performing radio astronomy experiments in India, while taking into account considerations such as geographical position, interference, and collaborations with international observatories?

EUROPEAN UNION'S CARBON BOUNDARY ADJUSTMENT MECHANISM (CBAM)

Source – Editorial of 'The Hindu' and a brief summary of PIB.

GENERAL STUDIES: CLIMATE CHANGE, SUSTAINABLE DEVELOPMENT, INTERNATIONAL RELATIONS, CONTINUOUS DIMENSIONS OF ECONOMY, EMISSION TRADE SYSTEM (ETC), GREENHOUSE GAS EMISSIONS, CARBON LEAKAGE, WORLD TRADE ORGANIZATION LAW.

WHY IN THE DISCUSSION / NEWS ?

Climate change is a global problem that requires immense resolution globally. Under the 'Carbon Border Adjustment Mechanism-CBAM) by the European Union (European Union- EU) on the import of goods created using fossil fuels, non-green or environmentally unstable technologies, now under carbon tax It will be imposed, which will be implemented in a phased manner from October 2023. The European Union itself is very ambitious about climate change policy, and as long as there are low rigid climate policies in many non-European Union countries, there is always a danger of 'carbon leakage'. Carbon leakage occurs when companies located in the European Union take carbon-fingered production to countries abroad where less rigorous climate-change policies apply, or when European Union's products are more carbon. The intensive imports are replaced.

- European Carbon Border Adjustment Mechanism (CBAM) Initially some selected items whose carbon emissions in the production process are quite intensive and which has the most important risk of carbon leakage: eg – cement, iron and steel, aluminum, fertilizer, electricity and The imports of hydrogen etc. will be applicable only.
- From January 1, 2026, the CBAM will charge 20 to 35% carbon tax on the imports produced in the European Union.

WHAT IS THE CARBON LIMIT ADJUSTMENT MECHANISM ?



INTRODUCTION TO CARBON BORDER ADJUSTMENT MECHANISM :

- The European Carbon Border Adjustment Mechanism (CBAM) is a strategy of the European Union to follow the European Climate Change by cutting at least 55% in greenhouse gas emissions by 2030 in the direction of climate change. CBAM is also a component of the “Fit for 55 in 2030 package”.
- CBAM is a policy tool that aims to ensure that carbon -emissions in the European Union are subjected to carbon costs similar to the products produced within the European Union countries.

WHAT IS THE REASON FOR IMPOSING A CARBON TAX ?

- The European Union has announced a reduction of at least 55 per cent in its carbon emissions by 2030 compared to the level of 1990. So far, there has been a fall of 24 per cent in them. However, imports from imports contribute 20 per cent to carbon dioxide (CO₂) emissions by the European Union, with further increase.

WHAT IS THE ISSUE ?

- The group of ‘Basic’ countries (Brazil, South Africa, India and China – Brazil, South Africa, India, China) protested against the European Union’s proposal in a joint statement that – “ It is against ‘discriminatory’ and equality and ‘equal but different responsibilities and related abilities’ (CBDR-RC) theory. These principles admit that developed countries are responsible for providing financial and technical assistance to developing and sensitive countries to combat climate change.”

THE MAJOR OBJECTIVE OF THE CARBON BORDER ADJUSTMENT MECHANISM :

- The main objective of the carbon boundary adjustment mechanism by the European Union is to encourage clean fuel production in the world to ensure that the goals set for climate change do not fall into intensive imports of carbon – emissions and the rest of the countries of the world To be encouraged for clean fuel production.

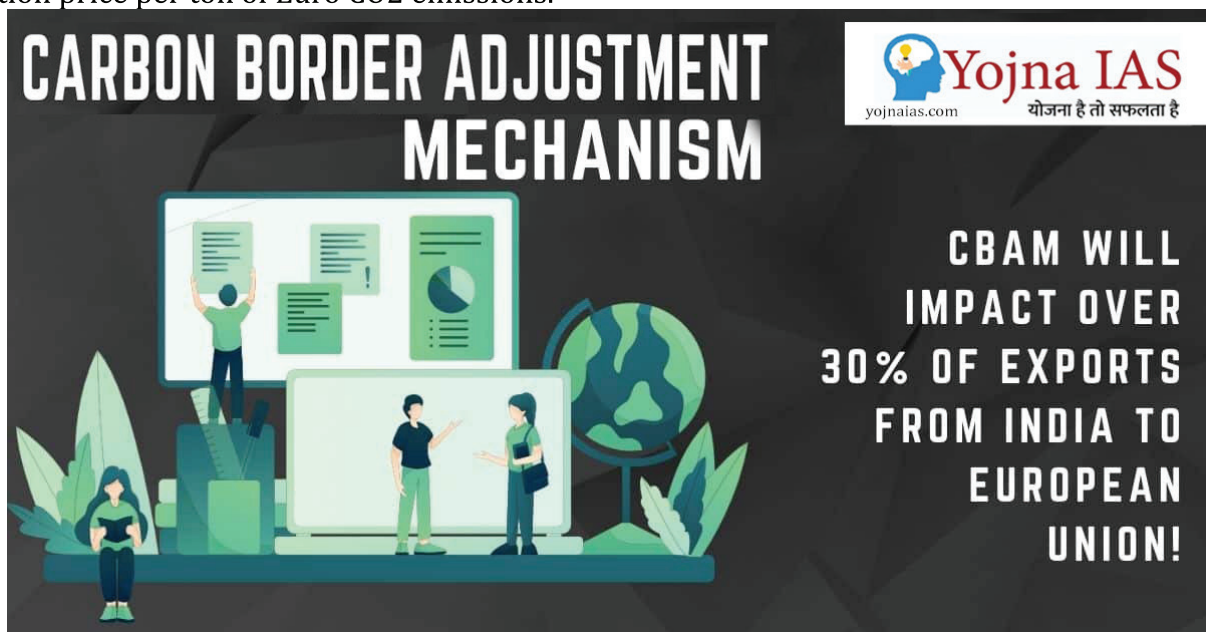
IMPORTANCE OF CARBON BOUNDARY ADJUSTMENT MECHANISM :

- The carbon border adjustment mechanism of the European Union may encourage non-European Union countries to deal with the dangers of climate change and to keep the environment balanced globally to adopt extremely rigorous stringent environmental regulations, which in global carbon emissions There is a possibility of shortage.
- This can reduce or stop carbon emissions by preventing manufacturing companies from being transferred to countries with less strict rules related to environmental rules.
- Revenue generated from CBAM will be used to support the climatic policies of the European

Union, allowing the rest of the world to encourage the use of green energy.

METHODS OF IMPLEMENTATION OF CARBON BORDER ADJUSTMENT MECHANISMS :

- CBAM will be applied to importers on an annual basis to announce the amount of goods imported into the European Union as well as their inherent greenhouse gas (GHG) emissions.
- To offset these emissions, importers will need to surrender a similar number of CBAM certificates, priced at the EU Emission Trading System (ETS) allowance weekly average average auction price per ton of Euro CO₂ emissions.



ITS IMPACT ON INDIA ?

- The European Union is the third largest trading partner in India. The European Union will make Indian goods less attractive to buyers by increasing the prices of goods made in India, which can reduce demand. This carbon can create serious challenges in the near future for companies with large greenhouse gas footprint. ,
- In addition, it is also against the global consent inherent in Article-12 of the Rio Declaration of the European Union to set uniform standards worldwide for the environment. According to which the applied standards of climate change for developed countries cannot be applied to developing countries.
- It is worth noting that the greenhouse content of these imports will also have to be accommodated in the Greenhouse Gas List of imported countries, for which it is essentially necessary that the greenhouse gas list is not “based on production” but “on consumption” . Should be counted. This will change the entire climate change system. Many experts in the world are also considering this policy as a ‘separate form of protectionism’.
- This protectionism shows government policies that prohibit international -trade to help domestic industries. Such policies are usually applied with the goal of improving economic activities within the domestic economy. The biggest threat to this and the risk is that it becomes a conservationist tool, which prevents local industries from foreign competition by making an excuse for ‘green protectionism’.

ITS IMPACT ON INDIA'S EXPORTS :

- This will adversely affect the export of products such as iron, steel and aluminum to be done between India and the European Union, as they will face additional investigation under this system.

- The business that India exports to the European Union to the European Union is probably affected by the European Union by 19.8% to 52.7% carbon tax.
- The European Union will start charging carbon tax from January 1, 2026 on every consignment of steel, aluminum, cement, fertilizer, hydrogen and electricity, which will have a copy effect in the fields of cement, fertilizer, aluminum, steel, hydrogen and electrical business of India. .

HIGH FEES AND CARBON INTENSITY OF INDIAN PRODUCTS :

- Due to the most use of coal in energy consumption, carbon intensity of Indian products is significantly higher than in other countries. In such a situation, the European Union and India will have widespread and adverse effects on mutual trade relations.
- The ratio of coal in India is close to 75% of the ratio of coal, which is much higher than the European Union (15%) and the global average (36%).
- Direct and indirect carbon emissions produced from India's iron and steel and aluminum plants is a major concern for India because the European Union will have to pay high carbon tax due to high carbon emissions in these industries in India, due to the cost price to the European Union, due to the cost price There is a strong possibility of an increase in.

EFFECT ON INDIA'S EXPORTS AND POTENTIAL THREATS :

- Carbon tax charged by the European Union includes India's sophisticated petroleum products, organic chemicals, pharma drugs and textiles, etc., which are imported from India by the European Union, will adversely affect the export of 20 products.
- Currently there is no indigenous carbon pricing scheme in India, this causes the risk of increasing mutual competition between companies, because other countries with carbon pricing systems may have to pay minimum carbon tax or they can also get discounts.



STEPS TAKEN BY INDIA TO REDUCE THE IMPACT OF EUROPEAN CARBON BORDER ADJUSTMENT MECHANISM (CBAM) :

DECARBONIZATION THEORY :

- The Government of India already has schemes like 'National Steel Policy'. This **production-based incentive (PLI)** scheme of the Government of India is aimed at increasing India's production capacity, but the current 'National Steel Policy' is beyond the objectives of schemes like carbon proficiency.
- The Government of India can include these schemes with dekbonization theory.
- Decarbonization refers to the process of reducing or eliminating greenhouse gas emissions from human activities such as transport, power generation, construction and agriculture, especially carbon dioxide (CO2).

AGREEMENT TALKS FOR CARBON TAX DEDUCTION WITH THE EUROPEAN UNION :

- To make its energy taxes equivalent to carbon value, the Government of India can talk with the

European Union, which will make India's export sector less sensitive to CBAM.

- India's tax on coal is a way to manufacture the internal cost of carbon emissions, which is equivalent to carbon tax.

MUTUAL TRANSFER OF NEW, ADVANCED AND CLEAN TECHNOLOGIES AND FINANCING SYSTEM :

- One way to help India support climate commitments is to help India support climate commitments to help India be more carbon efficient to transfer new, advanced and clean technologies and financing mechanisms among themselves. It should be proposed to keep it separate.
- The way China and Russia are setting up carbon trading systems, India should also start preparing for the new system in the same way.

ENCOURAGE CLEAN AND GREEN PRODUCTION :

- India should increase the international economic system and its net zero target 2070 without compromising its developmental goals and economic aspirations.
- India should start its preparation in this direction, along with encouraging clean production and moving to achieve the opportunity to make it green and sustainable, which India has both more aware and competitive forms towards carbon emissions in future Will benefit India from

EUROPEAN UNION CARBON TAX (TAX) FRAMEWORK :

- As the **Chief Leader of G-20, 2023, India** should use its position to advocate other countries as the country and host leader and urge them to oppose the Carbon Tax structure of the European Union.
- **European Carbon Border Adjustment Mechanism (CBAM)** will affect the poor countries that are very much dependent on mineral resources. Therefore, India should not only focus on its interests but should also consider its negative impact, so that India can also reconcile with the business and economic interests of the global community.

THE PATH OF CONCLUSION / SOLUTION :

- European Carbon Border Adjustment Mechanism (CBAM) is a policy to reduce carbon emissions from imported goods and create a fair-trade environment. India should increase its pressure on the European Union to make this carbon tax policy extremely flexible.
- This may encourage other countries to reduce strict environmental rules and global carbon emissions.

PRACTICE QUESTIONS FOR PRELIMINARY EXAMINATION:

Q. 1. Consider the following statements in relation to the 'Carbon Border Adjustment Tantra of the European Union.

1. CBAM is a component of "Fit for 55 in 2030 package".
2. The group of 'Basic' countries (Brazil, South Africa, India and China – Brazil, South Africa, India, China) has opposed this regarding carbon tax.
3. From January 1, 2026, the CBAM will charge 20 to 35% carbon tax on the imports produced in the European Union.
4. The European Union's perception to set a uniform standard worldwide for the environment is against the global consent inherent in Article-12 of the 'Rio Declaration'.

Which of the above statements / statements is correct?

- (A). Only 1, 2 and 3
- (B). Only 2, 3 and 4
- (C). None of these.
- (D). All of these.

Answer – (D)

PRACTICE QUESTIONS FOR MAIN EXAM :

Q. 1. A brief discussion of the Carbon Border adjustment mechanism of the European Union, explain how India's interest is affected by it?

INDIA-MALDIVES ROW

This article covers 'Daily Current Affairs' and the topic details of 'India-Maldives row.' This topic is relevant in the "India and its neighborhood" section of the UPSC CSE exam.

UPSC Mains GS-2 Syllabus : India and its neighborhood

Why in the News?

Three deputy ministers were suspended by the Maldives government after they slandered Prime Minister Modi on social media platforms. The issue for Social Media spat between Maldives and India was tourism.

Background of Spat

- It began when the Indian Prime Minister posted a number of tweets on X encouraging travellers to visit the Lakshadweep islands. Although the PM did not mention the Maldives or other island nations in his posts on Twitter, rather focus was on the beauty of Lakshadweep.
- However, a few well-known Maldivian social media users replied to it with insulting, xenophobic, racist, and disparaging remarks. Both the Indian PM and all Indians were the target of these remarks.
- The three Ministers from the Maldives were also among those people.
- Social media users in the Maldives started accusing India of trying to compete with them as a destination for travellers seeking a tropical holiday.
- Some other social media users were also prompted by these tweets to make a variety of racist comments directed towards Indians and Indian visitors to the Maldives.

Anti-India protests in Maldives :

- Since the 2020 launch of the "India Out" campaign, which was led by former president Abdulla Yameen Abdul Gayyoom, anti-Indian views have been prevalent.
- The campaign's supporters had stated that it was launched as a protest against what they saw to be the deployment of Indian armed forces in the nation.
- President Muizzu said in December 2023 during the COP28 climate summit that the Indian government had decided to remove its soldiers from the Maldives .
- These Indian soldiers were in the Maldives to oversee and control a Dornier aircraft that India had donated to the Maldives, as well as two helicopters.

Maldives' dependability on tourism

- The Maldives' economy is heavily reliant on tourism, which generates more than 28% of its total revenue.

- There will be over 200,000 Indian tourists to the Maldives in 2023, accounting for a sizable portion of the tourism industry, followed by the tourists from Russia and China.

India's Response

Requesting for Boycott: A number of Indian users urged that hotels and resorts in the Maldives must be boycotted.

Celebrity Support: In reaction to the controversy, Bollywood stars and Indian athletes launched the "Visit Lakshadweep" campaign.

About Lakshadweep :

- Lakshadweep is an archipelago of 36 islands covering an area of 32 square kilometres.
- Its capital is Kavaratti, which is also Lakshadweep's important town.
- The majority of islands are coral reef atolls produced by coral reefs that encircle a lagoon.
- Except for Minicoy, inhabitants of the remaining islands speak Mahl, which is written in Divehi script and is also spoken in the Maldives,
- Malayalam is also spoken on all of the islands.
- Lakshadweep's climate is tropical, with a warm and moist climate year-round.



Geographical location

It is located between 8°- 12°13' minutes North latitude and 71° - 74° East longitude, while 250 to 440 kilometres from Kochi, Kerala.

The 8° Channel serves as the maritime boundary between the Maldives and Minicoy (India). The island of Minicoy is separated from the majority of the Lakshadweep islands by the 9° Channel.

Importance of Lakshadweep for India :

- Because of its closeness to major international shipping routes, its importance for India strengthens.
- The islands serve as a base of operations for the Indian Navy and Coast Guard.
- Lakshadweep is part of India's Exclusive Economic Zone (EEZ), which grants the government

rights to explore and use marine resources in the surrounding waters.

- Lakshadweep's scenic splendour makes it a favourite spot for travellers.
- Lakshadweep's coral atolls and surrounding waters are host to a wide range of varied marine life, including coral reefs and many fish species.

Conclusion :

The situation illustrates the significance of neighbourly contact that is respectful and diplomatic. Although experts believe that the actions of a few individuals are unlikely to have a negative effect on India-Maldives bilateral relations.

Prelims practice Questions :

Q1) Which channel lies to the north of Lakshadweep and separates it from the Indian mainland?

- a) Ten Degree Channel
- b) Nine Degree Channel
- c) Eight Degree Channel
- d) Minicoy Channel

Answer: B

Q2): What environmental factor is essential for coral reef growth and development?

- A) Extremely low temperatures
- B) High salinity
- C) Insufficient lighting
- D) Water temperatures that are warm

Answer: D

Q3): Coral reefs are known as the "rainforests of the sea" because of their ability to:

- A) A lot of birds
- B) Rich biodiversity
- C) Heavy rainfall
- D) Height above sea level

Answer: B

Mains practice question :

Q1) What is India out campaign in Maldives and how does it impact India-Myanmar relations?

Q2) Examine the influence of climate change on India-Maldives ties, especially in light of rising sea levels and environmental challenges. How have the two countries worked together to tackle and minimise these problems?

SUPREME JUSTICE TO BILKIS BANO: RIGHT TO LIBERTY VS. RULE OF LAW

Source – The Hindu and PIB

General Studies: Indian Constitution – Historical Foundations, Constitution – Amendment, Articles 72 and 161 of the Constitution, Section 432, Section 433 (A) of CrPC, Important Provisions and Basic Structure of Indian Constitution, Special Central Bureau of Investigation Court, Life Imprisonment, Laxman Naskar vs Union of India, Exemption of Gujarat State Government – Policy.

WHY IN DISCUSSION / NEWS ?

- Recently, the Supreme Court of India has canceled the decision of acquittal of 11 convicts in the Bilkis Bano gangrape case. Hearing the case, the Supreme Court said that Bilkis Bano had to approach the Supreme Court four times at different stages to get justice. He said that the Gujarat government worked in connivance with the convicts and passed pardon orders in their favor and in collusion with the convicts gave immunity to the convicts, which was not its jurisdiction. This is very sad and unfortunate for the Indian judicial system. The Supreme Court upheld the earlier orders of the Supreme Court transferring the investigation to CBI and transferring the trial to Mumbai. The apex court has also neutralized the order dated May 13, 2022 of another bench.
- The Supreme Court had termed the acquittal of all 11 accused of murder and rape in the Bilkis Bano case as 'Extraordinary injustice'.



CURRENT LEGAL PROVISION IN INDIA FOR GRANTING PARDON TO A CONVICT AFTER SENTENCING HIM BY THE COURT:

- Under Articles 72 and 161 of the Indian Constitution, the President and Governors have the power to pardon, suspend, remit or commute sentences passed by courts.
- According to the Indian Constitution, prison is a subject of the State List, hence state governments have the power to grant remission of sentence under Section 432 of the Code of Criminal Procedure (CrPC).
- Section 433(A) of the CrPC in India places certain restrictions on these immunity powers: “Where a person is sentenced to imprisonment for life on conviction of an offense for which death is a punishment provided by law, is a, or where a sentence of death imposed on a person is commuted to imprisonment for life under section 433, such person shall not be released from prison unless he has been sentenced to imprisonment for not less than fourteen years “Has not been given.”

- Prisoners are often released on anniversaries of prominent leaders and other important occasions.

UNCONTROLLED CONSCIENCE:

- The Supreme Court of India held that the present case is an example of uncontrolled discretion. Additionally, in the case of Eepuru Sudhakar vs. State of Andhra Pradesh (2006), the Supreme Court had held that the judicial review of the order of remission of sentence given by the court to any convict is possible only when he shows his ideological strength there. Please Do not use it.
- The Supreme Court said in its judgment that – “If violation of law is not the subject of judicial inquiry, then law and talk of law will be like empty words.”
- Prison in India is a state subject, with each state’s prison rules identifying certain reformatory and rehabilitative conditions that prisoners can use to seek remission.
- The total number of days earned in remission is subtracted from the sentence awarded by the court. At the same time, forgiveness is hidden in the argument that after all, prisons should not be merely a means of retributive punishment but should be replaced by rehabilitation.
- Even in the case of convicts sentenced to life imprisonment, the convict has to mandatorily spend at least 14 years in prison to apply for remission. Notwithstanding this, any application for remission of any kind does not guarantee, and does not offset, the remission against the sentence decided by the Court.

IMPORTANT FACTS RELATED TO BILKIS BANO GANG RAPE AND MURDER CASE:

FILING WRIT PETITIONS IN THE SUPREME COURT :

- Exoneration and early release of 11 convicts found guilty of heinous crimes committed during the large-scale riots in Gujarat on 28 February 2002 and a few days thereafter in connection with the train burning incident on 27 February 2002 in Godhra, Gujarat State. Writ petitions were filed before the Supreme Court in order to criticize the orders of the State of Gujarat dated August 10, 2002, regarding providing.

FACTS MENTIONED IN THE WRIT PETITION OF THE SUPREME COURT :

- The petition filed in the Supreme Court was related to the brutal gang rape of Bilkis Yaqoob Rasool who was pregnant at that time.
- It was mentioned in the petition that the petitioner’s mother was gang-raped and murdered, and her cousin sister, who had just given birth to a child, was also gang-raped and murdered. Went.
- Eight minors, including the two-day-old baby of the petitioner’s cousin sister, were also murdered.
- The petitioner’s three-year-old daughter was murdered by hitting her head against a stone, her two minor brothers, two minor sisters, her paternal uncle, aunt, maternal uncle and three other cousins were all murdered.
- On January 21, 2008, a special Central Bureau of Investigation (CBI) court under the Indian Penal Code, 1860 sentenced 11 accused to life imprisonment on the grounds of rape, murder of a pregnant woman and conspiracy to commit unlawful assembly.

OTHER PETITIONS FILED BEFORE THE COURT :

- Subhashini Ali vs. State of Gujarat (2022), Dr. Meeran Chadha Borwankar vs. State of Gujarat (2002), National Federation of Indian Women (NFIW) vs. State of Gujarat (2022), Mahua Moitra vs. State of Gujarat (2022), Asma Shafiq Shaikh vs. Several petitions were filed in the name of the victim herself against the State (2022) and the Gujarat Government order dated August 10, 2022.

WHAT WERE THE ISSUES INVOLVED IN THE BILKIS BANO GANGRAPE AND MURDER CASE?

WAS THE STATE GOVERNMENT OF GUJARAT COMPETENT TO PASS THE IMPUGNED ORDER OF AVOIDANCE?

1. Were the orders of avoidance in accordance with the law ?
2. What were the arguments given by the petitioners ?

CONVICTION BY MAHARASHTRA COURT :

- The petitioners said that once a competent court in the State of Maharashtra has tried and convicted the accused, that State is the 'proper government'.
- The orders of remission passed by the State of Gujarat in respect of 11 convicts are without jurisdiction and unauthorized in the State of Gujarat and as such, the remissions passed are liable to be quashed.

REMISSION POLICY 1992:

- In the present case the 'appropriate Government' is the State of Maharashtra, therefore the petitioner submitted that in the Bilkis Bano gangrape and murder case the amnesty policy/remission policy of the State of Maharashtra would be applicable.
- The remission policy of Gujarat State dated July 9, 1992 in the Bilkis Bano gangrape and murder case is completely unusable and ineffective.
- The 1992 amnesty policy/remission policy of the state of Gujarat was implemented for remissions granted to the convicts in the Bilkis Bano gangrape and murder case as was the 2014 amnesty policy/remission policy of Gujarat at the time of remission of verdict in the Bilkis Bano gangrape and murder case. Was not implemented.
- The 1992 Amnesty/Remission Policy of the Gujarat Government did not deprive rape convicts of the benefit of remission.

WHAT WAS THE STATE OF GUJARAT'S ARGUMENT AGAINST THIS MAIN COUNTER-ARGUMENT?

- The State of Gujarat in its affidavit submitted that if there is a beneficial policy in place for the convict at the time of consideration of the application for premature release, the convict cannot be deprived of such beneficial policy and judicial review of the order of remission is permissible in law not there.

WHAT IS THE CONCLUSION OF THE SUPREME COURT OF INDIA'S DECISION ON BILKIS BANO GANGRAPE AND MURDER ?

- Responsibility for determining the appropriate and appropriate government:
- In Bilkis Bano case, if the State of Gujarat had filed an application for review of the said order holding that it was not the "appropriate Government" but the State of Maharashtra was the "appropriate Government", the subsequent litigation would not have arisen.
- In the absence of filing any review petition seeking rectification of the order passed by the Supreme Court on May 13, 2022, the State of Gujarat has usurped the power of the State of Maharashtra and passed the impugned order of avoidance, which in the view of the Court are invalid in law.



THE DECISION GIVEN BY THE SUPREME COURT ON MAY 13, 2022 DECLARED INVALID :

- The Supreme Court of India has had to declare its own decision dated May 13, 2022 invalid because the said order was sought by concealing material facts as well as by misrepresenting the facts and the same was obtained by the Supreme Court fraudulently. I went.
- Supreme Court's decision to make Parihar beneficiaries surrender in jail within two weeks:
- The Supreme Court has directed the Gujarat government to report to the concerned jail authorities within two weeks the beneficiaries of remission in the Bilkis Bano gangrape and murder case in the light of its present judgment.

PRACTICE QUESTIONS FOR PRELIMINARY EXAM:

Q. 1. CONSIDER THE FOLLOWING STATEMENTS WITH REFERENCE TO THE POWER TO PARDON, SUSPEND, REMIT OR COMMUTE THE SENTENCE PASSED BY THE COURTS IN INDIA.

1. The President and Governors in India have the power to pardon, suspend, remit or commute sentences passed by courts.
2. Jail is a subject under the State List, so state governments have the power to grant remission of sentence under Section 432 of the Code of Criminal Procedure (CrPC).
3. Prisoners in India are often released on birth anniversaries of prominent leaders and other important occasions.
4. Where in India the death sentence imposed on a person has been commuted to imprisonment for life under section 433, such person shall not be released from prison unless he has been sentenced to imprisonment for not less than fourteen years.

Which of the above statement / statements is correct?

- (A) Only 1, 2 and 3
- (B) Only 2, 3 and 4
- (C) None of these
- (D) All of these

Answer – (D)

PRACTICE QUESTIONS FOR MAIN EXAM:

Q.1. Premature release of convicted criminals or prisoners in India should be on judicious and lawful grounds, review the statement in the light of commutation of sentence of convicts in Bilkis Bano gangrape and murder case.

JUSTICE BR GAVAI TO LEAD SUPREME COURT LEGAL SERVICES COMMITTEE (SCLSC)

This article covers 'Daily Current Affairs' and the topic details of "Appointment of Supreme Court Justice BR Gavai to lead SCLSC" This topic is relevant in the "Executive & Judiciary" section of the UPSC CSE exam.

Why in the News?

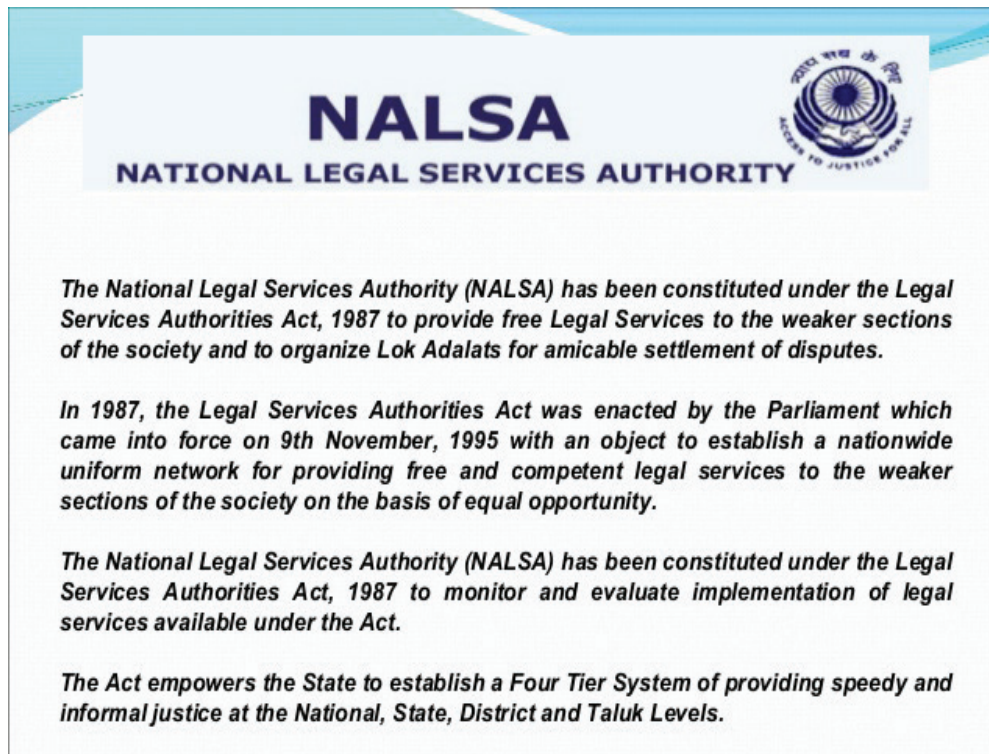
The appointment of Supreme Court Justice BR Gavai to lead the Supreme Court Legal Services Committee (SCLSC) has been made.

What is the Supreme Court Legal Services Committee?

- It was established in accordance with Section 3A of the Legal Services Authorities Act of 1987.
- Its aim was to give "free and competent legal services to the weaker sections of society" in cases coming under the purview of the Supreme Court.
- The committee must be formed by the Central Authority (the National Legal Services Authority or NALSA), in accordance with Section 3A of the Act.
- Composition : (a) It is chaired by a current Supreme Court judge and comprises other members who meet the Centre's requirements for experience and qualifications.
(b) The Chief Justice of India (CJI) will nominate the Chairman and the other members. Additionally, the Secretary may be appointed to the Committee by the CJI.
(c) In turn, the Committee, after consulting with the CJI, may designate officers and other staff members as directed by the Centre.
(d) The SCLSC members' numbers, backgrounds, and qualifications are described in Rule 10 of the NALSA Rules, 1995.
(e) In accordance with Section 27 of the 1987 Act, the Centre may issue regulations by notification to implement the Act's provisions after consulting with the CJI.
- Responsibility of centre : In accordance with Section 27 of the 1987 Act, the Centre can issue regulations by notification to implement the Act's provisions after consulting with the CJI.

Need for legal services :

- Provisions in Constitution : According to Article 39A, the government is required to ensure that the rule of law provides equal opportunity and promotes justice for all. It places a strong emphasis on offering free legal assistance via laws, programmes, or other channels so that all individuals, irrespective of financial or other obstacles, can obtain justice.
- Justice and equality before the law must be guaranteed by the state.
- The State must provide equality before the law and a judicial system that upholds justice based on equal opportunity, according to Articles 14 and 22(1). Article 14: Equality is a right, Article 22 (1) - Right to know the reasons behind an arrest.
- According to Article 39A of the Indian Constitution, the State shall guarantee that the judicial system operates in order to encourage justice on the basis of equal opportunities. Specifically, the State must offer free legal aid, by appropriate legislation or schemes or in any other way, to ensure that no citizen's opportunity to secure justice is denied due to their financial or other disability.



About Legal Services Authorities Act :

- The Legal Services Authorities Act was passed in 1987 in order to provide legal aid programmes with a statutory foundation. It seeks to offer qualified and cost-free legal services to qualified populations, such as women, kids, members of the SC/ST and EWS categories, industrial workers, people with disabilities, and others.
- NALSA :
 - (a) NALSA was established under the Act to oversee and assess the execution of legal aid initiatives and to provide guidelines for providing legal services.
 - (b) The Act envisions a national network for the provision of legal aid and support. Additionally, it gives money and grants to NGOs and State Legal Services Authorities so they can run legal aid initiatives and schemes.
 - (c) The major patron of NALSA is the Chief Justice of India.
- Legal Service Authorities at state and district level
 - 1) State Legal Services Authorities (SLSA) were set up to carry out Lok Adalats, provide free legal services to the public, and carry out NALSA's policies and directives. The senior HC judge serves as the Executive Chairman of an SLSA, which is led by the Chief Justice of the relevant High Court.
 - 2) Most taluks and districts have created Taluk Legal Services Committees and District Legal Services Authorities (DLSAs). Every district's district judge chairs each DLSA, which is housed in the District Courts Complex in that district. A senior civil judge leads the Taluka or Sub-Divisional Legal Services Committees.

Qualification for Free Legal services

- Women and children
- Victims of Human Trafficking or begar.
- victims of industrial disasters, mass catastrophic events, floods, droughts, and violent crimes..
- Disabled persons

- Members of SC/ST
- Industrial workmen
- Persons in custody

Initiatives taken for free legal aid

- 1) Legal Services Mobile App: NALSA has released the Legal Services Mobile App on both Android and iOS platforms to make it simple for regular people to obtain legal aid in order to promote fair access to justice.
- 2) DISHA scheme: Through the scheme called “Designing Innovative Solutions for Holistic Access to Justice (DISHA),” which will be executed from 2021 to 2026, the Department of Justice (DoJ) has started a complete, holistic, integrated, and systemic solution on access to justice at the national level in all of India. The Access to Justice Programmes have been upgraded to the national level and combined under the DISHA plan.

Prelims practice Question

Q1) What is the primary objective of NALSA in India?

- A) Providing legal education
- B) Ensuring speedy trials
- C) Promoting alternative dispute resolution
- D) Providing free legal services to the marginalized and weaker sections of society

Answer: D

Q2) Who appoints the Chief Justice of the National Legal Services Authority (NALSA)?

- A) President of India
- B) Prime Minister of India
- C) Chief Justice of India
- D) Law Minister of India

Answer: C

Mains practice question

- Q1) Discuss the significance of the right to free legal aid in the context of ensuring access to justice for all in India. Provide examples of how this right contributes to a more equitable legal system.

DELHI HC PRESCRIBED REGULATION ON TRANSPLANTATION OF ORGANS

This article covers ‘daily current affairs’ and the topic details of “delhi hc prescribed regulation regarding transplantation of organs”. This topic is relevant in the “polity and social justice” section of the upsc cse exam.

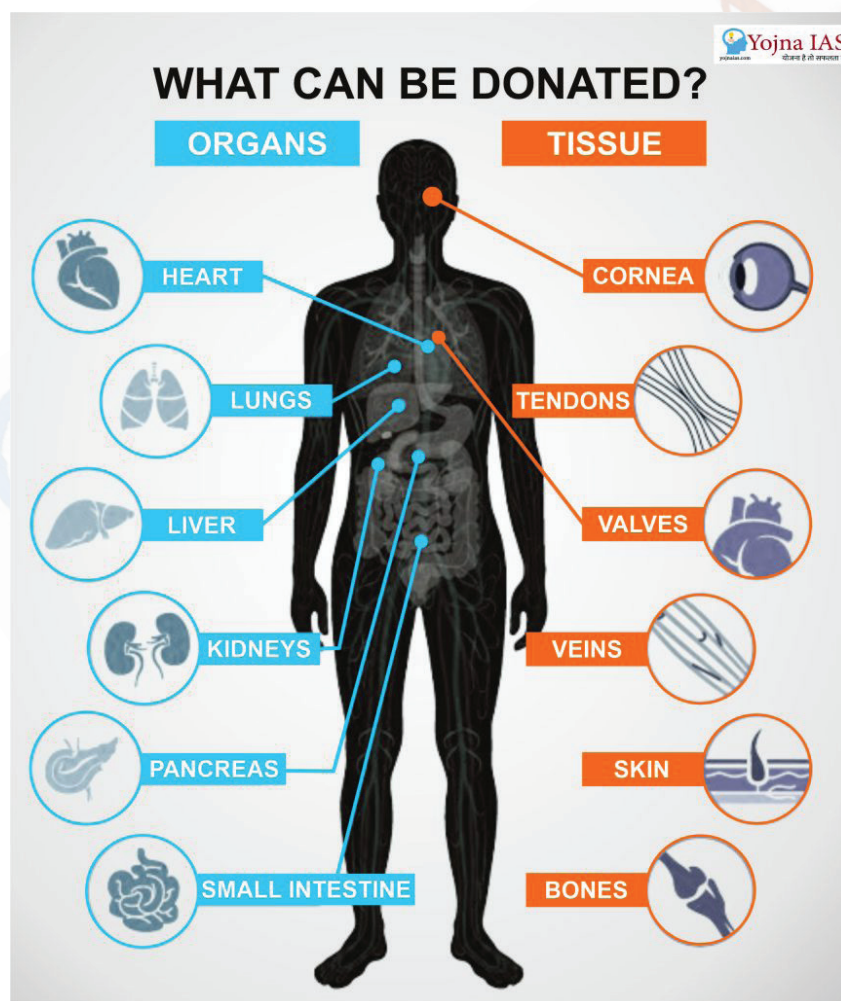
UPSC MAINS GS2 Syllabus : Government policies and intervention, management of social sector/ services relating to health.

Why in the News?

The Delhi High Court recently had prescribed a 6- to 8-week time for the procedure of transplanting organs from donors who are alive. Long waits, per the High Court, can inflict tremendous both mental and physical agony for donors, recipients, and their loved ones. It asked the Ministry of Health and Family Welfare to guarantee that all phases in the process of assessing organ donation applications are completed within the timeframes provided under the Transplantation of Human Organs and Tissues Act of 1994 and Rules of 2014.

In India, regulatory systems overseeing organ transplantation are -

- Institution : The National Organ and Tissue Transplant Organisation (NOTTO) is a national organisation that reports to the Ministry of Health and Family Welfare. It not only establishes policy guidelines and norms for various functions, but it also manages all national organ donation efforts.
- Legislation : The government of India approved the Transplantation of Human Organs Act (THOA) in 1994. The Transplantation of Human Organs Rules, which were recently updated in 2014, further expanded the realm of donation and included tissues for transplantation. The act criminalised the selling of organs and legalised the idea of brain death in India, permitting deceased donation by getting organs from brain stem dead individuals.



What are the rules regarding Organ transplants

The government revised national organ transplantation guidelines in February 2023.

- The new guidelines repealed the 65-year age limit for people seeking organs from a deceased

donor.

- Living donor transplants, in which family members donate organs such as kidneys and livers, have no age limit.
- However, according to NOTTO criteria, those over the age of 65 could not register to receive organs from deceased donors.
- It demanded that governments remove the domicile requirement for registering persons who are looking for organs from deceased donors for transplant procedures. A needy person can now go to any state in the nation to register for an organ transplant as well as have the operation performed.
- NOTTO will assign the patient a unique ID upon registration.
- This will be carried over even if the patient transfers to various hospitals in different states.
- Noting that some states demand fees ranging from Rs 5,000 to 10,000 for registering such patients, this advice instructs them not to do so.

What is Transplantation of Human Organs and Tissues Act, 1994

- In India, this legislation oversees the transfer of human organs and tissues, including organ donation after death. It establishes regulations for healthcare providers and hospitals, as well as consequences for noncompliance.
- A transplant can come from a collection of organs donated by kin of those who passed away or from a living individual known to the recipient.
- The Act authorises living donations from close relatives such as siblings, parents, kids, partners, grandmothers and grandfathers and grandkids in the majority of situations.
- Altruistic donations from far-flung relatives, the in-laws or long-time friends are permitted after additional inspection to guarantee that no cash transaction takes place.
- Living donations from loved ones, whether Indians or foreigners, must be accompanied by documents proving their names, lineage trees, and photographs proving the donor-recipient link. Donors and recipients both are interviewed as well.
- Unrelated donors must provide documentation and photographic proof of their long-term acquaintance or friendship with the recipient. An external committee examines these to prevent illicit dealings.
- Punishment – Offering to pay for organs or supplying them for payment; initiating, negotiating, or publicising such arrangements; looking for persons to supply organs; and assisting in the preparation of fake paperwork are all punishable by “up to ten years in prison and a fine of up to Rs one crore”.
- Duty of Authorisation committee :
 1. The Authorisation Committee supervises and approves organ transplant procedures involving unrelated donors and recipients. Section 9(5) of the statute requires the Committee to conduct a comprehensive investigation when considering transplant applications.
 2. This consent is critical, especially when organs are donated out of love, attachment, or other specific circumstances, to ensure ethical compliance and prevent illegal actions.
 3. The statute gives the Central Government the authority to determine the makeup of the Authorisation Committee. State and Union Territories shall appoint members to one or more Authorisation Committees.
 4. Section 24 of the Act empowers the central government to create rules for carrying out the Act’s various purposes, subject to parliamentary approval.

About 2014 rules

- Rule 7 of the 2014 Rules specifies the composition of the Authorisation Committee as well as the

scope of its investigation and evaluation.

- In circumstances where the donor and beneficiary are not close relatives, Rule 7(3) requires the Committee to confirm that no commercial transaction is involved.
- However, Rule 7(5) states that if a recipient is in serious condition and requires transplantation within one week, the hospital can be contacted for an expedited work evaluation.

Prelims practice question

Q1) Who is eligible to donate organs under the Transplantation of Human Organs Act, 1994?

1. Only living related donors
2. Only deceased donors
3. Both living and deceased donors
4. Only government officials

Answer: C

Q2) Which government body is responsible for the implementation of the Transplantation of Human Organs Act, 1994?

1. Ministry of Education
2. Ministry of Health and Family Welfare
3. Ministry of Finance
4. Ministry of Transport

Answer: B

Mains practice Question

Q1) What ethical considerations should be taken into account when it comes to organ transplantation under the current legal framework?

Q2) How can the government and non-governmental organizations collaborate to promote a positive organ donation culture in the country?

INCREASING USE / OVER- PRESCRIPTION OF ANTIBIOTICS IN INDIA

SOURCE - THE HINDU AND PIB.

GENERAL STUDIES: A COMPREHENSIVE HEALTH APPROACH, ANTIMICROBIAL RESISTANCE (AMR), NATIONAL CENTER FOR DISEASE CONTROL (NCDC), INDIAN COUNCIL OF MEDICAL RESEARCH (ICMR), WORLD HEALTH ORGANIZATION (WHO).

WHY IN THE NEWS ?

- The National Center for Disease Control (NCDC) in one of its recent surveys, amid growing concerns about **Antimicrobial Resistance (AMR)** in India, found several concerns regarding the overuse of antibiotics in India. The major findings have been published. **India is the largest consumer of antibiotics in the world.** Excessive antibiotic use in India is causing powerful mutations never seen before in bacteria.



MAIN FINDINGS OF THIS SURVEY :

USE OF ANTIBIOTICS AS PREVENTIVE MEASURES IN INDIA :

- The survey found that more than half of patients (55%) in India were advised to use antibiotics for prophylactic indications rather than for therapeutic purposes (45%), primarily to prevent infection..

ANTIBIOTIC PRESCRIPTION FORMAT IN INDIA :

- In India, only a small number of patients (6%) were given antibiotics to treat their disease based on the diagnosis of some specific bacteria, while the majority of cases (94%) were given antibiotics based on the doctor's clinical assessment of the probable cause of the disease. But were on empirical therapy.

LACK OF SPECIALIZED CLINICAL MEDICAL SYSTEM IN INDIA :

- The survey found that prevalent use of antibiotics without accurate knowledge of the cause of infection resulted in 94% of patients being given antibiotics before a definite medical diagnosis was confirmed, reflecting the lack of a specific clinical medical system in India.

VARIATION AMONG HOSPITALS :

- Wide variations were found in antibiotic prescription rates across hospitals, ranging from 37% to 100% of patients prescribed antibiotics.
- A significant proportion (86.5%) of antibiotics prescribed were given through the parenteral route (not orally).

DRIVERS OF AMR :

- NCDC in its survey states that one of the main factors for the development of antibiotic resistance is excessive and inappropriate use of antibiotics.

ANTIBIOTICS AND DRUG RESISTANCE : AN INTRODUCTION :

- Antibiotics kill bacteria and stop their growth. It is a broad group of disease-modifying compounds used to prevent infections caused by bacteria, molds, and other parasites, including fungi and protozoa that can be seen under normal microscopes.
- Antibiotics are remarkable medicines that are capable of killing biological organisms in one's body

without causing harm to the body.

- They are used for everything from preventing infection during surgery to protecting cancer patients undergoing chemotherapy.

Antibiotics are divided into two groups due to their action or effect –

Bactericidal agents.

Bacteriostatic agent.

- Those which kill bacteria are called '**bactericidal agents**'. And
- Those which weaken the growth of bacteria are called '**bacteriostatic agents**'.
- Penicillin is a bactericidal antibiotic. It attacks the cell wall or cell membrane of the bacteria. Antibiotics are also known as antibacterial.
- The immune system of the human body has the ability to remove infections caused by bacteria, but sometimes the attack of bacteria becomes so much that the immune system of the human body is unable to remove the infection. (goes beyond the capacity of the system). To avoid such infections, humans have to take antibiotics externally.
- India meets about 20% of the global demand for generic drugs across the world. Therefore, India is one of the largest producers and exporters of pharmaceutical products. India is among the top 12 leading institutions / locations for biotechnology in the world. India is the third largest exporter of biotechnology in the Asia-Pacific region.
- India's pharmaceutical industry has made a significant contribution across the world in improving health outcomes and access to affordable medicines for millions of people in the developing countries. At times, India's pharma industry has also faced various allegations and incidents of producing substandard, contaminated or harmful drugs, which has led to adverse effects on patients in many countries like Sri Lanka, Gambia, Uzbekistan, United States of America etc. There have also been deaths of patients.
- These incidents have given rise to serious concerns regarding the role and effectiveness of the Indian drug regulator in ensuring compliance with standards and norms such as quality and safety/non-harmfulness of Indian pharma products.

DRUG RESISTANCE :

- Drug resistance occurs when antibiotics are overused in treating humans, animals as well as plants.
- Antibiotic resistance has the potential to affect people at any stage of life. When a person is infected with antibiotic-resistant bacteria, not only does it become difficult to treat that patient, but the antibiotic-resistant bacteria can also spread to other people.
- When antibiotics do not work, the patient's condition may lead to more complex diseases, use of stronger and more expensive drugs, and gradual bacterial infections leading to more deaths.
- The spread of antibiotic resistance around the world is undermining decades of progress in fighting bacterial infections.

RESULT OF RESEARCH / CONCLUSION :

- Antibiotic adjuvants are non-antibiotic compounds that enhance antibiotic activity by blocking resistance or enhancing the host response to infection.
- The scientists incorporated cyclic hydrophobic moieties (part of a molecule) into a compound containing triamine / triamine, a compound consisting of three amino groups, thus weakly irritating the membrane of the evolved helper bacteria. Are.

- Resistance to antibiotics occurs through a variety of molecular mechanisms, including decreased drug permeability, activated efflux, alteration or bypass of drug targets, production of antibiotic-modifying enzymes, and physiological conditions such as biofilms that block antibiotic activity. Are less sensitive.
- Efflux pumps reduce intracellular antibiotic concentrations, allowing bacteria to survive high antibiotic concentrations.
- When these adjuvants are used in combination with antibiotics that had become ineffective due to such membrane-associated resistance elements, the antibiotics become potent, and the combination is effective in killing the bacteria.



IMPORTANCE OF SCIENTIFIC STUDY :

- The study found that these antibiotics can combat the most important groups of bacteria, enabling existing antibiotics to be repurposed for complex infections. This can help combat the growing threat of antimicrobial resistance (AMR).
- This could help strengthen the activity of obsolete antibiotics and bring them back into use to treat complex infections.

IMPORTANT INITIATIVES RELATED TO DRUG RESISTANCE BY INDIA:

- **National Program on AMR Prevention :** Under this programme, launched in 2012, the AMR surveillance network has been strengthened by setting up laboratories in state medical colleges.
- **National Action Plan on AMR :** Launched in April 2017, it focuses on a one health approach and was initiated with the aim of involving various stakeholder ministries/departments.
- **AMR Surveillance and Research Network (AMRSN) :** It was launched in 2013 to generate evidence and capture trends and patterns of drug-resistant infections in the country.
- **AMR Research and International Collaboration :** Indian Council of Medical Research (ICMR) has taken initiatives to develop new drugs/medicines through international collaboration to strengthen medical research in AMR.
- **Antibiotic Stewardship Programme :** ICMR has launched Antibiotic Stewardship Program (AMSP) on a pilot project across India to control the misuse and overuse of antibiotics in hospital wards and ICUs.



IMPORTANT INITIATIVES RELATED TO DRUG RESISTANCE AT GLOBAL LEVEL :

- **World Antimicrobial Awareness Week (WAAW)** : Held annually since 2015, WAAW is a global campaign aimed at raising awareness of antimicrobial resistance around the world and empowering the general public, health and society to slow the development and spread of drug-resistant infections. The aim is to encourage best practices among activists and policy makers.
- **Global Antimicrobial Resistance and Use Surveillance System (GLASS)** : WHO launched GLASS in 2015 to address knowledge gaps and inform strategies at all levels. Glass is envisioned to systematically incorporate data from monitoring AMR in humans, monitoring the use of antimicrobial drugs, and AMR in the food chain and environment.



CONCLUSION / SOLUTION :

- Antibiotics are a boon for the animal world. According to medical experts, there are many life-saving medicines which cannot be given without antibiotics. If the use of antibiotics continues indiscriminately, then more new superbugs will be seen and gradually we will have to stop the use of antibiotics completely. Global efforts are also expected in this regard, if this does not happen then the medical science on the basis of which Alexander Fleming's invention has flourished so much today will go far behind the global health needs of the present time.

- In the year 2012, a comprehensive plan was made in the 'Chennai Declaration' to deal with the growing threat of superbugs, which was also included in the 12th Five Year Plan. In the plan started in the 12th Five Year Plan, it was talked about the establishment of 30 such laboratories which would work towards solving the problems arising from excessive use of antibiotics, but till now only 10 such laboratories have been constructed. The government will have to find ways to prevent superbugs and for this, research will have to be encouraged.
- At present, no pharmaceutical company in the world is going to prepare any new antibiotic medicine for the next 20 years. This campaign has been started to prevent excessive use of antibiotics. To prevent excessive use of antibiotics, the government has issued a new list of salable medicines and has instructed drug sellers to sell medicines based on it, but the availability of antibiotics easily anywhere is worrying, hence the government should strengthen its monitoring system. We have to be more alert, so that humans can remain conscious about their health and disease free.

PRACTICE QUESTIONS FOR PRELIMINARY EXAM :

Q. 1. Consider the following statements regarding excessive use of antibiotics in India.

1. India is the largest consumer of antibiotics in the world.
2. Antibiotics are remarkable medicines that are incapable of killing biological organisms in one's body without causing harm to the body.
3. NCDC in its survey states that one of the main factors for the development of antibiotic resistance is excessive and inappropriate use of antibiotics.
4. India meets about 80% of the global demand for generic drugs.

Which of the above statement / statements is correct ?

- (A) Only 1, 2 and 3
- (B) Only 2 and 4
- (C) Only 1 and 3
- (D) All of these.

Answer - (C)

PRACTICE QUESTIONS FOR MAIN EXAM :

Q.1. Discuss how the overuse and free availability of antibiotics without doctor's advice may contribute to the emergence of drug-resistant diseases in India? Critically analyze the various issues involved in overuse and free availability of antibiotics.

CASE AGAINST ISRAEL IN ICJ

This article covers 'Daily Current Affairs' and the topic details of "Case against Israel in International Court of Justice". This topic is relevant in the "International Relations & Institutions" section of the UPSC CSE exam.

UPSC MAINS GS2 SYLLABUS : Important International Institutions

Why in the News?

The International Court of Justice (ICJ) has been asked to take into account the likelihood that Israel is

violating its obligations under the 1948 Genocide Convention by carrying out genocide against the Palestinian people in Gaza. South Africa was the country to bring up this case in ICJ.

Allegations and requests of South Africa

- In its lawsuit, South Africa claims that Israel, a signatory to the Genocide agreement, has committed crimes that fall within the criteria of the agreement.
- Statements from Israeli leaders stating explicit purpose and allegations that Israel neglected to stop genocide or punish incitement to genocide are among the evidence put forth by South Africa.
- According to reports, the claimed acts took place in Gaza, prompting South Africa to declare that a genocide is taking on right now.
- South Africa is also requesting immediate remedies from the International Court of Justice (ICJ) in order to stop further harm to Palestinian rights.
- The actions include stopping all Israeli military activities in Gaza right now, abiding by the terms of the Genocide Convention, ending forcible relocation and deportation, and guaranteeing access to medical supplies and humanitarian aid.

About 1948 Genocide Convention of UN

- The International Convention on the Prevention and Punishment of the Crime of Genocide is a global human rights convention that formalised the heinous act of genocide for the very first time. On December 9, 1948, the UN General Assembly enacted the first human rights convention, which went into force on January 12, 1951.
- Definition of Genocide as per convention : According to the current Convention, any of the following kinds of acts carried out with the intention of completely or partially eradicating a national, ethnic, racial, or religious group are considered acts of genocide:
 - 1 Murdering the members of the group.
 - 2 Causing substantial bodily or mental harm to anybody in the group.
 - 3 purposefully causing the collective conditions of existence to be such that it is physically destroyed in whole or in part
 - 4 enforcing policies designed to stop births inside the community.
 - 5 forcing the group's youngsters to be transferred to another group carried out with the intention of eradicating a national, ethnic, racial, or religious group entirely or in part.
- According to the convention, any participating nation may ask the appropriate UN bodies to take the required steps to stop and punish crimes of genocide.
- It requires state parties to take action, such as passing pertinent legislation and prosecuting offenders, in order to prevent or punish the crime of genocide.
- Even if these crimes are committed widely, it does not prove genocide.
- Genocide is distinguished from war crimes, ethnic purges, and crimes against mankind by the intentional intent to destroy.
- Furthermore, because the ICJ does not automatically have jurisdiction over crimes against humanity, ethnic cleansing, war crimes, and other transgressions do not give States a way to file a complaint with the court.

International Court of Justice :

The primary judicial body inside the United Nations (UN) is the International Court of Justice (ICJ). The United Nations Charter established it in June 1945, and it started operations in April 1946.

- The Peace Palace in The Hague, Netherlands, serves as the Court's seat. Of the six main UN organs,

it is the only one that is not based in New York City.

- French and English are the official languages of ICJ

Formation of ICJ =

- The Permanent Court of International Justice (PCIJ) was superseded by the ICJ. The League of Nations was responsible for founding PCIJ.
- The United Nations and International Court of Justice (ICJ) took the place of the League of Nations and PCIJ after World War II.
- Judge José Gustavo Guerrero of El Salvador, who served as the PCIJ's final president, was officially disbanded in April 1946 and appointed as the first president of the ICJ.

Functions of ICJ : To provide advisory views on legal matters brought to it by authorised United Nations institutions and specialised agencies, and to resolve legal conflicts brought to it by States in conformity with international law.

Judges in ICJ : The UN Security Council and General Assembly vote concurrently but independently to choose the "15 judges" that make up the International Court of Justice (ICJ) for nine-year mandates.

- A candidate needs to win the majority of the votes in both houses in order to be elected; this requirement occasionally calls for additional voting rounds.
- Every 3 years, elections are held to elect a third of the court at the UN Headquarters in New York during the UNGA meeting. The judges that are chosen at the triennial election take office on February 6 of the subsequent year.
- By secret ballot, the court's president and vice president are chosen for three-year periods. Judges can run for office again.
- There have been four Indian members of the ICJ. Since 2012, Justice Dalveer Bhandari, a former Supreme Court justice, has been a member of the ICJ.

Who can file cases at the court ?

In disputes, only States may present before the Court. This basically refers to the 193 United Nations Members as of right now.

- Applications from private parties such as corporations, non-governmental organisations, or people are outside the purview of the Court. It cannot assist them in interacting with national authorities or offer them legal guidance.
- The ICJ law immediately binds every member of the UN. But this does not automatically grant the ICJ jurisdiction over issues involving them. Only with the agreement of both parties does the ICJ acquire jurisdiction.
- The parties to a case are legally bound by the ICJ's final ruling. An appeals process is not present. At most, it could be open to interpretation or amendment in the event that a new fact comes to light.
- The International Court of Justice's authority is dependent on nations' desire to follow its rulings, and it has no means of ensuring that they are followed.

Prelims practice question

Q1) Which of the following statements regarding the International Court of Justice (ICJ) is correct?

- 1 The ICJ has jurisdiction over criminal cases only.
- 2 The ICJ has jurisdiction over disputes between states.
- 3 Judges are elected by the General Assembly.

Which of the following statements are incorrect?

- A. 1 only
- B. 1 and 2
- C. 2 and 3
- D. 1 and 3

ANSWER : A

Q2) What is the primary function of the International Court of Justice (ICJ)?

- 1. Enforcing international law.
- 2. Resolving disputes between states.
- 3. Conducting criminal trials.

Which statement is correct?

- A) 1 only
- B) 2 only
- C) 1 and 2
- D) 2 and 3

Answer: B

Mains practice question

Q1) Evaluate the effectiveness of the International Court of Justice in addressing human rights issues. Discuss specific cases where the ICJ has succeeded or faced limitations in dealing with human rights violations.



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योजना है तो सफलता है