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Law on sedition

The Centre has informed the Supreme Court that it has decided to re-examine and re-consider the provisions of Section 124A that deal with the offence and urged it to defer hearing on petitions challenging the Constitutional validity of the law until such exercise is carried out before an appropriate forum.

Law on Sedition (Section 124A)

- ✓ **Section 124A of the Indian Penal Code (IPC)**, deals with sedition. It was drafted by **Thomas Babington Macaulay** and included in the IPC in **1870**.
- ✓ It states that 'Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into **hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law**, shall be punished with imprisonment which may extend to **three years**, to which fine may be added.'
- ✓ Sedition is a non-bailable offence. Punishment under the law varies from imprisonment up to three years to a life term and fine.

Previous judgements on section 124A

- ✓ In **Kedar Nath Singh v. State of Bihar (1962)**, the Supreme Court upheld the constitutional validity of sedition and noted it as being a **reasonable restriction on free speech** as provided in **Article 19(2)** of the Constitution.
- ✓ It made clear that a **citizen has the right to say or write whatever she likes about the government**, or its measures, by way of criticism or comments, **as long as she does not incite people to violence** against the government established by law or with the **intention of creating public disorder**.
- ✓ Following the Kedar Nath case, the **Bombay High Court**, in the **case of cartoonist Aseem Trivedi (2012)**, issued **guidelines** which the police must follow prior to invoking the provisions of sedition.
- ✓ These include an **objective evaluation of the material** to form an opinion on whether the words and actions cause disaffection, enmity and disloyalty to the government as they must be of the magnitude that they **incite violence or tend to create public disorder**.
- ✓ The Court also directed obtaining a **legal opinion in writing from a law officer of the district** who must give reasons on how the pre-conditions are met.
- ✓ This needs to be followed by a **second opinion from the State's public prosecutor**.

Reasons to review the law

- ✓ The sedition law has been in debate ever since it was brought into force by the colonial British rulers in 1860s. Several top freedom movement leaders including **Mahatma Gandhi and Jawaharlal Nehru** were booked under the sedition law.

- ✓ **Mahatma Gandhi** described it as the “prince among the political sections of the Indian Penal Code designed to suppress the liberty of the citizen.”
- ✓ Despite being cautioned by courts on numerous occasions, law enforcement agencies continue to misuse the provisions on sedition and ignore court directions. The problem therefore lies in the **poor implementation of the law and guidelines**.
- ✓ Based on data from the **National Crime Records Bureau**, between 2016 and 2019, the number of cases of sedition under Section 124A increased by 160%, while the rate of conviction dropped to 3.3% in 2019 from 33.3% in 2016.
- ✓ Notably, out of these cases, **many charges fell outside the ambit of sedition**. Consequently, the staggering numbers have got people saying that “the aim is not to punish or convict anyone but to incarcerate them... the process itself is the punishment.”
- ✓ This data and the gross misuse of the legal provisions compel one to state that even though a Constitution Bench upheld the vires of the law of sedition, the **circumstances now require a complete relook at the provision**.
- ✓ When the situation changes, the statute calls for a change as law cannot afford to remain static.
- ✓ **The U.K.** has repealed the offence of sedition in 2010 and India is holding onto a relic of the British Empire.
- ✓ In its consultative paper on sedition, the **Law Commission of India** said **dissent and criticism of the government are essential ingredients of a robust public debate in a vibrant democracy**.
- ✓ The Commission, headed by former Supreme Court judge, Justice B.S. Chauhan, suggested **it was time to rethink or even repeal Section 124A**.

United Nations Convention to Combat Desertification

Union Minister for Environment, Forest and Climate Change Bhupender Yadav pitched for promoting lifestyles for the environment during his address at the fifteenth session of the Conference of the Parties (COP15) of the United Nations Convention to Combat Desertification (UNCCD).

COP15 is being held at Abidjan, Côte d'Ivoire, from 9 to 20 May 2022. It will bring together leaders from governments, the private sector, civil society and other key stakeholders from around the world to drive progress in the future sustainable management of land and will explore links between land and other key sustainability issues.

The Minister further stated that India has enhanced monitoring the health of its soils through the **Soil Health Card Programme** implemented throughout the country. Over 229 million Soil Health Cards have been issued to farmers between 2015 and 2019 and this program has led to a **decline of 8-10% in the use of chemical fertilizers and also raised productivity by 5-6%**.

Desertification

- ✓ Desertification is a **gradual process of land degradation** in arid, semi-arid and dry sub-humid regions resulting from various factors, including human activities and climatic variations such as prolonged droughts and floods.
- ✓ The concept does not refer to the physical expansion of existing deserts but rather to the various processes that threaten all dryland ecosystems.

Land Degradation & Land Desertification

- ✓ Land degradation is caused by multiple forces, including extreme weather conditions particularly drought, and human activities that pollute or degrade the quality of soils and land utility negatively affecting food production, livelihoods, and the production and provision of other ecosystem goods and services.
- ✓ Desertification is defined as “a **type of land degradation** in which a relatively dry land region becomes increasingly arid, typically losing its bodies of water as well as vegetation and wildlife.”

UNCCD

- ✓ The United Nations has three major Conventions: **the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD) and the United Nations Convention to Combat Desertification (UNCCD).**
- ✓ These conventions were the result of the 1992 UN Conference on Environment and Development in Rio de Janeiro, also called the **Earth Summit.**
- ✓ Established in **1994**, the UNCCD is the **sole legally binding international agreement linking environment and development to sustainable land management.**
- ✓ The Convention **specifically addresses the arid, semi-arid and dry sub-humid areas, known as the drylands**, where some of the most vulnerable ecosystems and peoples can be found.
- ✓ The implementation of the UNCCD is geared around **five regional implementation annexes**: Annex 1 for Africa, Annex 2 for Asia, Annex 3 for Latin America and the Caribbean, Annex 4 for Northern Mediterranean and Annex 5 for Central and Eastern Europe.
- ✓ These annexes are meant to set out the focus and content of action programmes for particular subregions and regions. They also provide a framework for regional coordination and collaboration.
- ✓ The Convention has 197 parties including **India.**

J&K Delimitation Report

After multiple objections and extensions, the J&K Delimitation Commission submitted its final report on May 5, 2022, two years after it was appointed to redraw the electoral boundaries in Jammu and Kashmir as per the mandate set by the **Jammu & Kashmir Reorganisation Act, 2019.**

In its order, a notification of which was published in the Gazette of India, the three-member panel carved out additional six Assembly seats for the Jammu region and one for the Kashmir valley as per the Act. The final order of the Commission has set the stage for elections in the erstwhile State that last held Assembly polls in 2014.

What is delimitation?

- ✓ Delimitation is the process of **redrawing boundaries of the Lok Sabha or Assembly constituencies**. The process is carried out in accordance with changes in the demographic status of a State or Union Territory. Delimitation is done by a **Delimitation Commission or Boundary Commission**.
- ✓ The orders of the independent body **cannot be questioned before any court**. In the past, Delimitation Commissions were set up in **1952, 1963, 1973, and 2002**.
- ✓ Before the **abrogation of Article 370** that accorded a special status to J&K, delimitation of its Assembly seats was carried out by the **Jammu and Kashmir Constitution and the Jammu and Kashmir Representation of the People Act, 1957**. The delimitation of Lok Sabha constituencies, meanwhile, was governed by the Constitution.

The J&K Delimitation Commission

The last time a delimitation exercise was carried out in Jammu and Kashmir was in **1995**, based on the 1981 Census. Jammu and Kashmir was under President's rule at that time. There was no Census in 1991 in J&K due to the tense situation in the valley. In 2001, the Jammu and Kashmir Assembly passed a law to put the **delimitation process on hold till 2026**.

The Centre set up a Delimitation Commission in March 2020, six months after the State of Jammu and Kashmir was bifurcated and reorganised as the Union Territories of Jammu and Kashmir and Ladakh.

The Commission was tasked with delimiting the Assembly and Lok Sabha constituencies in the UT of J&K based on the **2011 Census** and in accordance with the provisions of the **Jammu and Kashmir Reorganisation Act, 2019** and the **Delimitation Act, 2002**.

Takeaways from the final report

- ✓ First, J&K is split into two divisions, with Jammu having 37 Assembly seats and Kashmir 46. After the Commission's final draft, six additional Assembly seats are earmarked for Jammu (revised to 43) and one for Kashmir (revised to 47). The total number of Assembly seats in the UT will increase from 83 to 90.
- ✓ Second, the Commission has recommended the Centre to **nominate at least two Kashmiri Pandits** to the Legislative Assembly. Third, the panel has proposed **nine seats for the Scheduled Tribes (STs)**.

- ✓ Fourth, the Commission has also recommended that the government consider giving **displaced persons from Pakistan-occupied Jammu and Kashmir representation** in the Assembly through nomination.
- ✓ The Centre will now fix a date from which the delimitation order will come into effect. This will pave the way for the much-awaited first Assembly polls in Jammu and Kashmir after being stripped of its special status in 2019.

Diseases in news

The Kerala health department identified Shigella bacteria as the cause for the food poisoning incident in Kasaragod, which claimed the life of a 16-year-old girl.

- ✓ Shigella bacteria belongs to the enterobacter family - a group of bacteria that reside in the intestine, not all of which cause disease in humans.
- ✓ It causes a **food- and water-borne infection** that mainly **affects the intestine** and results in diarrhoea, sometimes bloody, stomach pain, and fever.
- ✓ **Spread** - The infection spreads easily as it takes only a small number of bacteria to make someone ill.
- ✓ It can happen when someone consumes contaminated food, unwashed fruit or vegetables.
- ✓ It is easily spread by direct or indirect contact with the excrement of the patient.
- ✓ Shigellosis is not a very common infection like the typhoid and cholera.
- ✓ **Types** - There are four types of Shigella bacteria that affect humans - Shigella sonnei, S. flexneri, S. boydii, and S. dysenteriae.
- ✓ The fourth type causes the most severe disease because of the toxin it produces.
- ✓ But it is not common for people to die of the infection, unless
 - The patient has a weak immune system or
 - The pathogen is resistant to the antibiotics that are prescribed or
 - Shigella outbreaks appear to be exacerbated during pregnancy and in children under 5 years of age.
- ✓ **Treatment** - Shigellosis is a very treatable condition; if a patient reaches hospital on time they can effectively be treated using IV antibiotics.
- ✓ The problem though, occurs when the antibiotics do not work because the bacteria are resistant to it.
- ✓ **Problem** - If the bacteria continue to proliferate in the body even after giving the antibiotics, it will continue to produce toxins that can affect all other organs.
- ✓ These toxins can then affect the kidney, cause seizures, lead to multi-organ failure, and shock, and even turn fatal.
- ✓ The mortality of the infection is less than 1%.

- ✓ **Precautions** - The measures to prevent a Shigella infection are the same as that of any other food- and water-borne infection - be hygienic.
- ✓ Products such as milk, chicken, and fish can get infected easily and must be kept at a proper temperature. They must also be properly cooked.

Monkeypox

Recently, Health authorities in the United Kingdom have confirmed a case of monkeypox, a rare viral infection similar to smallpox, in an individual who recently travelled to that country from Nigeria.

- ✓ The **monkeypox virus is an orthopoxvirus**, which is a genus of viruses that also includes the variola virus, which causes smallpox, and vaccinia virus, which was used in the smallpox vaccine.
- ✓ Monkeypox causes symptoms similar to smallpox, although they are less severe.
- ✓ While **vaccination eradicated smallpox worldwide in 1980**, monkeypox continues to occur in a swathe of countries in Central and West Africa, and has on occasion showed up elsewhere.
- ✓ According to the World Health Organisation (WHO), two distinct clade are identified: the West African clade and the Congo Basin clade, also known as the Central African clade.
- ✓ Transmission, when it occurs, can be through contact with bodily fluids, lesions on the skin or on internal mucosal surfaces, such as in the mouth or throat, respiratory droplets and contaminated objects.

Tomato Flu

Tamil Nadu has ramped up surveillance at its borders in the wake of "tomato flu" cases being detected in Kerala.

- ✓ Tomato flu or fever is a viral disease. The flu gets its name because of the red blister it causes.
- ✓ The fever is affecting children below the age of five.
- ✓ **Symptoms** include red rashes, skin irritation and dehydration.
- ✓ It also includes tiredness, joint pain, stomach cramps, nausea, vomiting, diarrhoea, coughing, sneezing, runny nose, high fever, and body ache.
- ✓ In some cases, it may also change the colour of the legs and the hands.
- ✓ **Spread** - Like other cases of flu, tomato fever is also contagious.
- ✓ If someone is infected with this flu, they need to be kept in isolation as this could spread rapidly from one person to another.
- ✓ It is essential to prevent children from scratching the blisters caused by the flu. Proper rest and hygiene is also advised.
- ✓ **Treatment** - Tomato flu is a self-limiting one and there is no specific drug for this.
- ✓ This means that the symptoms will resolve overtime on their own if supportive care is given.
- ✓ Fluid intake would also help counteract dehydration.

World Press Freedom Index 2022

Recently, the 20th edition of the World Press Freedom Index (WPFI) 2022 was published.

- ✓ It is published by the global media watchdog, the Reporters Without Borders or Reporters Sans Frontieres (RSF) since 2002.
- ✓ It ranks countries and regions according to the level of media freedom available to journalists.
- ✓ It is based on an evaluation of media freedom that measures pluralism, media independence, media environment and self-censorship, transparency, and the legal framework and the safety of journalists.
- ✓ It is also based on the quality of the infrastructure that supports the production of news and information.
- ✓ It includes indicators of level of media freedom violations in each region.
- ✓ **Methodology** - The Index's ranking is based on a **score ranging from 0 to 100** that is assigned to each country or territory.
- ✓ 100 is the best possible score (the highest possible level of press freedom) and 0 is the worst.
- ✓ Countries are evaluated using **five contextual indicators** - political context, legal framework, economic context, socio-cultural context and safety.
- ✓ **Findings** - India's ranking in the 2022 World Press Freedom Index has fallen to 150 out of 180 countries.

Country	Rank in World Press Freedom Index 2022
Norway	1
Denmark	2
Sweden	3
India	150 (142 in the year 2021)
North Korea	180

- ✓ In terms of global trends, the report flags a two-fold increase in polarisation amplified by information chaos
 - Media polarisation fuelling divisions within countries, and
 - Polarisation between countries at the international level.
- ✓ The report states that in India, "the violence against journalists, the politically partisan media and the concentration of media ownership all demonstrate that press freedom is in crisis".
- ✓ It describes India as one of the world's most dangerous countries for the media.
- ✓ It notes that the journalists are exposed to all kinds of physical violence including police violence, ambushes by political activists, and deadly reprisals by criminal groups or corrupt local officials.
- ✓ It highlights that "supporters of Hindutva, the ideology that spawned the Hindu far-right, wage all-out online attacks on any views that conflict with their thinking."

Foreign Contribution Regulation Act (FCRA)

The CBI has questioned six officials of the Foreigners Division of the Ministry of Home Affairs (MHA) for allegedly accepting bribes to give clearances under the FCRA to certain NGOs.

FCRA

- ✓ The FCRA was enacted during the Emergency in 1976 amid apprehensions that foreign powers were interfering in India's affairs through independent organisations.
- ✓ The law aims to regulate foreign donations to individuals and associations so that they function in a manner consistent with the values of a sovereign democratic republic.
- ✓ The law was amended in 2010 to prohibit their use for any activities detrimental to national interest.
- ✓ It was amended again in 2020, giving the government tighter control and scrutiny over the receipt and utilisation of foreign funds by NGOs.
- ✓ **Features of the Act-** The FCRA requires every person or NGO seeking to receive foreign donations to be
 - registered under the Act
 - to open a bank account for the receipt of the foreign funds in State Bank of India, Delhi
 - to utilise those funds only for the purpose for which they have been received and as stipulated in the Act
 - to file annual returns and not to transfer the funds to another NGO
- ✓ The Act prohibits the receipt of foreign funds by candidates for elections, journalists or newspaper and media broadcast companies, judges and government servants, members of legislature and political parties or their office-bearers, and organisations of a political nature.

How is FCRA registration granted?

- ✓ **FCRA registrations are granted to individuals or associations that have definite cultural, economic, educational, religious, and social programmes.**
- ✓ NGOs that want to receive foreign funds must apply online with the required documentation.
- ✓ **Authority-** The Ministry of Home Affairs makes inquiries through the Intelligence Bureau into the antecedents of the applicant and approves or rejects the application within 90 days.
- ✓ In case of failure to process the application in the given time, the MHA is expected to inform the NGO of the reasons for the same.
- ✓ **Eligibility-** Under the FCRA, the applicant
 - should not be fictitious or benami
 - should not have been prosecuted or convicted for indulging in activities aimed at conversion through inducement or force, either directly or indirectly, from one religious faith to another
 - should not have been prosecuted for or convicted of creating communal tension or disharmony

- should not have been found guilty of diversion or misutilisation of funds
- should not be engaged or likely to be engaged in the propagation of sedition
- ✓ **Validity-** Once granted, FCRA registration is valid for five years and NGOs are expected to apply for renewal within six months of the date of expiry of registration.
- ✓ In case of failure to apply for renewal, the registration is deemed to have expired.

Bases of approval cancellation

- ✓ **Cancellation-**Registration can be cancelled on account of the following reasons
 - if it finds it to be in violation of the Act
 - if an inquiry finds a false statement in the application
 - if the NGO is found to have violated any of the terms and conditions of the certificate or renewal
 - if it has not been engaged in any reasonable activity in its chosen field for the benefit of society for two consecutive years
 - if it has become defunct
 - if in the opinion of the Central Government, it is necessary in the public interest to cancel the certificate
 - if an audit finds irregularities in the finances in terms of misutilisation of foreign funds
- ✓ The person or NGO concerned has been given a reasonable opportunity of being heard.
- ✓ **Re-registration-** Once the registration of an NGO is cancelled, it is not eligible for re-registration for three years.
- ✓ **Suspension-** The ministry also has powers to suspend an NGO's registration for 180 days pending inquiry, and can freeze its funds.
- ✓ All orders of the government can be challenged in the High Court.
- ✓ Until 2011, there were more than 40,000 NGOs registered under FCRA in India but now the number stands at 16,000.
- ✓ Over the past seven years, the government has cancelled the registration of more than 16,700 NGOs.

Amnesty was forced to shut its operation in India in 2020. Greenpeace India has scaled down its operations after its FCRA registration was cancelled in 2015.

One Liners

- ❖ Indian Oil Corporation launched M15 petrol on a pilot basis in Tinsukia district of Assam. M15 petrol is defined as 15% blend of methanol with petrol.
- ❖ Kerala lifted the title for the seventh time, after beating Bengal in a penalty shootout in Santosh Trophy 2022.

- ❖ An ambulance service for sick and injured cows was inaugurated in Assam's Dibrugarh district.
- ❖ Bihar's Chief Minister Nitish Kumar has inaugurated India's first ethanol plant in Purnia district, Bihar.
- ❖ Asian Games 2022, which were due to take place in September 2022 in Hangzhou, China have been postponed to 2023 because of rising COVID cases.
- ❖ Odisha is planning to create India's only observatory, which will house data on the state's indigenous population's health.
- ❖ Union Minister for Power, New and Renewable Energy, R.K Singh, and German Minister for Economic Affairs and Climate Change Dr. Robert Habeck virtually signed a Joint Declaration of Intent on an Indo-German Hydrogen Task Force.
- ❖ The Delimitation Commission, which redrew the electoral map of Jammu and Kashmir, has headed by Justice Ranjana Prakash Desai, a retired judge of the Supreme Court.
- ❖ RPF launched a focused effort under "Operation Satark" from 5th to 30th April 2022.
- ❖ India will be the official Country of Honour at the upcoming Marche' Du Film in France.
- ❖ Cynthia Rosenzweig, a senior research scientist at NASA's Goddard Institute for Space Studies (GISS), received the 2022 World Food Prize from the World Food Prize Foundation.
- ❖ The Total Fertility Rate (TFR), the average number of children per woman, has further declined from 2.2 to 2.0 at the national level as per the National Health Family Survey NFHS-5.
- ❖ Telangana State Government has announced the extension of insurance coverage to handloom and power loom weavers under the 'Nethanna Bima' (Weaver's Insurance) Scheme.
- ❖ Haryana will host the 4th Khelo India Youth Games from June 4 to 13 in Panchkula. Five traditional games like gatka, thang-ta, kalaripayattu, mallakhamb and yogasana have been introduced for the first time in Khelo India Youth Games. The mascot for the games is DHAKAD
- ❖ The Indian Coast Guard commissioned its second Air Squadron '845 Squadron (CG)' at the Coast Guard Air Enclave at Nedumbassery in Kochi.
- ❖ India's first Flow Chemistry Technology Hub (FCT Hub) has been set up at Dr Reddy's Institute of Life Sciences (DRILS) at Hyderabad.
- ❖ India's first Regional Rapid Transit System (RRTS) between Delhi and Meerut, is being designed by global mobility provider Alstom in Hyderabad and manufactured in Savli, Gujarat.
- ❖ John Lee was elected as Hong Kong's next leader by an Election committee who cast their votes in a secret ballot. The committee included around 1,500 largely pro-Beijing members.
- ❖ The United States has launched "Affordable Connectivity Program" to provide subsidies on internet service to lower-income households.
- ❖ Tamil Nadu has become the first state in the country to offer breakfast in government schools, along with the mid-day meal.