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Weekly Current Affairs

Weekly Current Affairs 18-Dec-2023 to 24-Dec-2023



The Indian **EXPRESS**

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POLITY AND GOVERNANCE

SPECIAL CATEGORY STATES IN INDIA

Why in the News?

The recent Supreme Court ruling clarified that Article 370 is solely a characteristic of asymmetric federalism, distinct from possessing internal sovereignty.

Background:

India, with its myriad regions, cultures, languages, and religions, is recognized for its diversity. The Constitution of India acknowledges this diversity, providing certain states and territories with autonomy and special status based on historical, geographical, political, or cultural factors.

Constitutional Basis:

Under Part XXI of the Indian Constitution titled "Temporary, Transitional and Special Provisions," special provisions are outlined. While intended to be temporary, these provisions have endured for decades, triggering ongoing debates and analyses.

Special Category States (SCS) in India:

To address varying levels of development, resources, and challenges among states, the central government designates some as Special Category States. This concept was introduced in 1969 by the Fifth Finance Commission, employing the Gadgil formula to offer preferential treatment in terms of central assistance and tax benefits.

Criteria For SCS Designation:

The criteria for granting Special Category Status include:

- Hilly and difficult terrain
- Low population density or a large tribal population
- Strategic location along international borders

- Economic and infrastructural backwardness
- Non-viable nature of state finances

List of Special Category States:

Initially limited to Jammu and Kashmir, Assam, and Nagaland, the list expanded to include Himachal Pradesh, Manipur, Meghalaya, Sikkim, Tripura, Arunachal Pradesh, Mizoram, and Uttarakhand. Telangana, formed in 2014 after bifurcation from Andhra Pradesh, is the latest addition.

Benefits of Special Category Status:

The benefits afforded to Special Category States include:

- Higher share of central plan assistance (90% grant and 10% loan compared to 30% grant and 70% loan for non-SCS states).
- Increased allocation of funds for externally aided projects.
- Rebates in income tax rates and excise duty for industries.
- Preferential treatment in the devolution of central taxes and duties.
- Relaxation of norms for centrally sponsored schemes.
- Additional assistance for disaster relief.

Controversies Surrounding Special Category Status (SCS)

Issues Related to Special Category Status:

- **Lack of Constitutional or Legal Basis:**
 - SCS lacks a constitutional or legal foundation and is subject to the discretionary decision of the National Development Council (NDC) or the central government.
- **Criteria Lack Uniformity or Transparency:**
 - The absence of uniform or transparent cri-

teria for granting SCS has led to claims from states like Bihar, Odisha, Rajasthan, and Chhattisgarh, asserting their eligibility based on backwardness indicators.

- **Ambiguity in Duration or Review:**

- Ambiguity surrounds the duration or review of SCS, with some states receiving it on a temporary basis (e.g., Jammu and Kashmir, Telangana), while others have enjoyed it for decades.

- **Absence of Impact Assessment or Evaluation:**

- There is a lack of clear evidence demonstrating that SCS has catalyzed faster growth or development in the beneficiary states.

- **Fiscal Discipline and Accountability Concerns:**

- Some states have faced accusations of misusing or diverting funds meant for specific purposes, raising questions about fiscal discipline and accountability.

Special Provisions in States:

- **Jammu and Kashmir:**

- Historically significant for its accession to India post the 1947 partition, it was granted special status under Article 370. However, in 2019, the central government revoked this status, reorganizing the state into two union territories.

- **Nagaland:**

- Characterized by a predominantly Naga population seeking self-determination, Nagaland was created in 1963 under Article 371A. It enjoys special rights to preserve customs, traditions, land, and resources. The Framework Agreement of 2015 aims to address the Naga issue through peaceful dialogue.

- **Assam:**

- Boasting a diverse, multi-ethnic society, Assam received special powers under Article 371B. The Assam Accord of 1985 addresses

issues of identity, language, immigration, development, and autonomy.

- **Sikkim:**

- Formerly an independent kingdom, Sikkim joined India in 1975. Article 371F protects its existing laws, land rights, religious practices, and democratic institutions. The Sikkim-Darjeeling Agreement of 1973 grants financial assistance and development schemes.

Objectives and Challenges of Special Provisions In India:

Objectives of Special Provisions:

- **Respect and Protection of Identity:**

- Upholding the distinct identity, culture, and rights of the people residing in states with special provisions.

- **Promotion of Socio-economic Development:**

- Facilitating socio-economic development and welfare in these states to bridge developmental gaps.

- **Ensuring Participation in National Mainstream:**

- Ensuring active participation and representation of these states in the national mainstream to foster inclusivity.

- **Maintenance of Peace and Stability:**

- Contributing to the maintenance of peace and stability in these regions, acknowledging their unique challenges.

- **Strengthening National Unity and Integrity:**

- Reinforcing national unity and integrity by recognizing and accommodating diversity within the constitutional framework.

Challenges and Limitations:

- **Creation of Alienation or Discrimination:**

- Special provisions may instigate a sense of alienation or discrimination among states or regions without similar privileges.

- **Potential for Separatist Tendencies:**

- There is a risk that some groups or individuals may exploit these provisions to fuel separatist or secessionist tendencies for personal gain.

- **Conflicts Between Central and State Governments:**

- Special provisions can lead to conflicts or disputes between the central and state governments, involving issues like jurisdiction, authority, resources, or policies.

- **Impediment to Uniform Implementation of National Laws:**

- The presence of special provisions may impede the uniform implementation or enforcement of national laws or schemes in these states.

- **Influence by External Factors:**

- External factors or pressures from neighboring countries or international organizations may influence the application or continuation of these provisions.

Beyond Constitutional Articles: Examining Fiscal Devolution, Administrative Flexibility, and Equal Representation

Fiscal Devolution:

The Finance Commission plays a vital role in allocating central taxes to states based on need and pop-

ulation, aiming to recognize and address fiscal disparities. Special Category States, including Jammu and Kashmir (previously) and certain Northeastern states, receive additional financial assistance due to their unique challenges.

Administrative Flexibility:

States possess the authority to customize their administrative structures and policies to local contexts, particularly in crucial areas like education, healthcare, and social welfare programs.

Equal Representation:

The Rajya Sabha ensures equal representation for each state irrespective of population size, providing smaller states with a more influential voice in national decision-making processes.

Way Forward:

The ongoing debate surrounding special provisions necessitates a thoughtful approach to strike the right balance between state autonomy and national unity. Addressing historical imbalances and regional needs remains a crucial challenge. Key steps include:

- **Reviewing Existing Provisions:**

- Regularly assessing the effectiveness and relevance of special provisions to ensure alignment with India's evolving needs.

- **Transparency and Accountability:**

- Ensuring clear communication and responsible implementation of these provisions to

Arguments for Special Provisions	Arguments against Special Provisions
Accommodating Diversity: Recognizes and respects unique histories, cultures, and needs of different states.	Potential for Inequality: Critics argue that special provisions create advantages for certain states, disadvantaging others without such privileges.
Promoting Regional Development: Offers special financial assistance and administrative flexibility to address developmental disparities.	Challenges to National Integration: Excessive autonomy may fuel regionalism and separatist tendencies, hindering national unity.
Strengthening National Unity: By addressing grievances and fostering inclusion, these provisions can strengthen the bond between diverse states	Implementation Challenges: Coordinating varied provisions among states poses challenges in terms of complexity and resource requirements.

address concerns about inequality and misuse.

- **Finding Common Ground:**

- Promoting communication and collaboration between states and the Central government to establish a more robust foundation for a unified and fair India.

Conclusion:

The special provisions outlined in Part XXI of the Constitution reflect India's commitment to federalism, democracy, and diversity. Designed to address specific challenges and aspirations of certain states, these provisions aim to integrate them with the broader Indian framework without compromising their unique identities. They exemplify India's flexibility and adaptability in navigating its intricate realities.

LARGEST SUSPENSION OF MPS FROM LOK SABHA AND RAJYA SABHA

Why in the News?

Recently, 143 MPs from both the Lok Sabha and Rajya Sabha belonging to the Opposition have been suspended from Parliamentary sessions due to their role in causing disruptions.

What are the rules on the suspension of MPs?

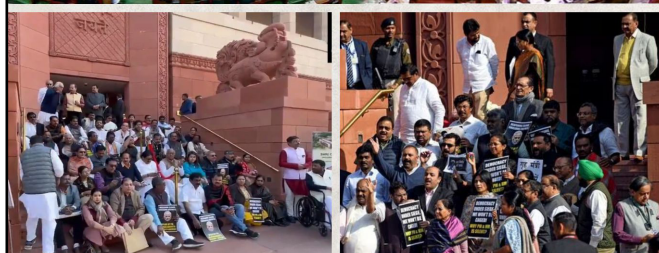
- The fundamental rule dictates that the responsibility and duty to uphold order and ensure the smooth functioning of the House lie with the Presiding Officers i.e the **Speaker of the Lok Sabha and the Chairman of the Rajya Sabha**.
- The Presiding Officers — the Speaker of Lok Sabha and Chairman of Rajya Sabha plays the major role in suspensions of Members of Parliament (MPs).
- In the **Lok Sabha**, the Speaker's actions are guided by Rules 373, 374, and 374A of the Rules of Procedure and Conduct of Business, while in the **Rajya Sabha**, the Chairman acts as per Rules 255 and 256.

- **Rule 373 and Rule 255:** These rules authorize the presiding officers to instruct an MP to leave the House in the event of any disruptive behavior.
- **Rule 374 and Rule 256:** Should an MP persistently disrupt the proceedings, the presiding officer has the authority to "name" the legislator. Subsequently, the House can propose a motion to suspend the MP for the remainder of the session.
- **Rule 374A:** It was introduced in the Lok Sabha's Rule Book in 2001, this rule grants the Speaker the ability to address severe and disorderly behavior. Under this provision, an MP identified by the Speaker is automatically suspended for either five days or the duration of the session's remaining part. This rule removes the need for the House to pass a motion for suspension. This provision has not been incorporated by Rajya Sabha in its procedures.

Suspension of MPs from Parliament

146 OF THE 788 MPs

In The Lok Sabha and Rajya Sabha are **SUSPENDED**



How long can MPs be suspended for and the implications of suspension?

MPs can be suspended for the remaining part of the session only.

Implications

1. Suspended members cannot enter the chamber or attend the meetings of the committees.
2. Suspended members are not eligible to give notice for discussion or submission.
3. Members lose the right to get a reply to his questions.
4. They will not be eligible to give notice for discussion or submission.

However, the House at any point of time can reinstate a suspended member by passing a motion.

Can courts intervene in a matter of suspension of MPs?

Article 122 of the Constitution indicates that parliamentary proceedings cannot be questioned before a court. However, in some cases, courts have intervened in the procedural functioning of legislatures like Maharashtra Legislative Assembly passed a resolution in its 2021 Monsoon Session suspending 12 BJP MLAs for a year. Thereafter, the matter came before the Supreme Court, which held that the resolution was ineffective in law beyond the remainder of the Monsoon Session.

Motivation behind Suspension of MPs

1. **Disorderly Conduct:** Suspensions may be imposed in response to disorderly conduct, disruptions, or unruly behavior during parliamentary sessions. Such actions can impede the smooth functioning of the legislature and compromise the decorum essential for productive debates.
2. **Breach of Parliamentary Rules:** MPs may face suspension if they violate specific parliamentary rules, procedures, or ethical guidelines. This could include actions that contravene the established code of conduct for parliamentarians.
3. **Unparliamentary Language:** The use of offen-

sive or unparliamentary language is a common reason for suspension. Utterances that are disrespectful, derogatory, or inflammatory may lead to disciplinary measures, including suspension, to maintain the dignity of parliamentary proceedings.

4. **Physical Altercations:** Instances of physical altercations or aggressive behavior within the parliamentary premises may result in the suspension of involved MPs. Such incidents are considered serious breaches of conduct and can lead to immediate disciplinary actions.
5. **Defiance of Speaker's Authority:** Refusing to comply with the Speaker's directives, challenging the authority of the presiding officer, or engaging in acts of disobedience can be grounds for suspension. This is crucial for maintaining order and ensuring the smooth functioning of parliamentary sessions.
6. **Ethical Violations:** Actions that are ethically questionable, such as conflicts of interest, corruption, or other ethical violations, may prompt disciplinary action, including suspension, to uphold the integrity of parliamentary proceedings.
7. **Repetitive Offenses:** MPs who repeatedly engage in disruptive behavior or violate parliamentary norms may face suspension as a means of deterring such actions and maintaining discipline within the legislative body.

Possible Implication of the Suspension:

The suspension of Members of Parliament (MPs) in Parliament carries several implications, affecting both the individuals involved and the functioning of the parliamentary system. Here are some key implications:

1. **Denial of Participation:** Suspended MPs lose their right to participate in the proceedings of the house during the period of suspension. This includes attending sessions, voting on bills, and engaging in debates. The denial of participation is a significant consequence, as it hinders the suspended members from fulfilling their legislative responsibilities.

2. **Impact on Representation:** The suspension of MPs may impact the effective representation of the constituencies they represent. Constituents may be deprived of their elected representatives' contributions and voice in parliamentary activities during the period of suspension.
3. **Disciplinary Measure:** Suspension is often a disciplinary measure taken by the parliamentary authorities in response to actions deemed inappropriate or a breach of parliamentary rules. It serves as a means of maintaining order, decorum, and the integrity of parliamentary proceedings.
4. **Political Ramifications:** Suspensions can have political ramifications, affecting party dynamics and inter-party relationships. The suspension of MPs may lead to debates on the fairness of the disciplinary action and influence public perceptions of the political parties involved.
5. **Legal Challenges:** Suspended MPs may choose to challenge their suspension through legal means, arguing that the disciplinary action is unjust or violates parliamentary norms. Legal challenges can lead to further scrutiny of the grounds for suspension and the procedures followed.
6. **Preservation of Parliamentary Decorum:** The suspension of MPs is intended to uphold the dignity and decorum of parliamentary proceedings. It serves as a deterrent against disruptive behavior and actions that could undermine the functioning of the legislature.
7. **Duration and Review:** Suspensions are typically of a specific duration, and the parliamentary rules may allow for a review of the suspension. This review process provides an opportunity for suspended MPs to appeal and seek a reconsideration of the disciplinary action.

Challenges and Criticisms

The suspension of MPs in India has been met with criticism and scrutiny which are as follows:

1. **Potential for Abuse:** Critics argue that the power to suspend MPs could be misused for political expediency, stifling dissent and opposition

within the legislative framework.

2. **Need for Transparency:** There is a perceived lack of transparency in the criteria and process for suspending MPs, leading to allegations of arbitrary and unfair disciplinary actions.
3. **Legal Ambiguities:** The legal framework governing MP suspensions lacks clarity in certain aspects, necessitating reforms to ensure consistency, fairness, and adherence to constitutional principles.

The Way Forward

Addressing the challenges associated with the suspension of MPs in India requires a multi-faceted approach:

1. **Reform of Parliamentary Rules:** There is a need to revisit and reform the rules governing MP suspensions to ensure transparency, accountability, and adherence to democratic norms.
2. **Enhanced Dialogue:** Promoting constructive dialogue among parliamentary members to foster mutual respect and understanding, thereby reducing the need for disciplinary actions.
3. **Public Awareness and Engagement:** Raising public awareness about the importance of parliamentary decorum and the role of MPs in upholding democratic values, fostering a culture of responsible governance.

Conclusion

The suspension of MPs in India is a complex issue that intersects with various aspects of parliamentary democracy, including representation, accountability, and governance. While it serves as a mechanism for maintaining order and discipline within the legislative framework, it also raises significant questions and challenges that warrant critical examination. As India continues to strengthen its democratic institutions, addressing the complexities surrounding MP suspensions becomes essential to ensure the effective and equitable functioning of parliamentary democracy.

ALL INDIA JUDICIAL SERVICE: CURRENT RELEVANCE AND CHALLENGES

Why in discussion?

The first citizen of India and the 15th President of the country, Shrimati Draupadi Murmu, on the occasion of Constitution Day on 26 November 2023, established an All India Judicial Service (AIJS) to ensure equal representation of India's diversity in the judiciary. He also emphasized that the aim of justice is to make it accessible and equitable to all, which is yet to happen in India.

The President said – **“A more diverse representation of India's unique diversity on the Constitutional Bench and Bar Councils certainly helps in better serving the ends of justice. “One way to accelerate this diversification process could be to create a system in which judges can be recruited from diverse backgrounds through a merit-based, competitive and transparent process.” In such a situation, there could possibly be an All India Judicial Service, which would be able to “select talented youth from across the country and nurture and promote their talent from lower to higher levels” to create a larger pool of talent. “Such a system can also provide opportunities to under-represented social groups,” She said.**

The Government of India has recently proposed to pass a Bill to set up the All India Judicial Service (AIJS) for recruitment of officers for subordinate courts through an entrance examination.

Immediately after independence, provision was made for an All India Judicial Service (AIJS) on the lines of the Indian Administrative Service and the Indian Police Service, but due to certain reasons, the All India Judicial Service has not been created yet.

The idea of AIJS is currently being proposed in the backdrop of judicial reforms, particularly related to checking of vacancies and pending cases in the judiciary. The establishment of AIJS is a positive step, but it faces several constitutional and legal hurdles.



What is All India Judicial Service (AIJS)?

Introduction:

- It is a proposed centralized recruitment system for judges at the level of **Additional District Judges and District Judges in all states**.
- Its aim is to centralize the recruitment of judges, similar to the **Union Public Service Commission (UPSC) model**, and hand over charge of states to successful candidates.
- As per the recommendations of the Law Commission reports of the years **1958 and 1978**, the AIJS aims to address structural issues such as differential pay, recruitment against vacancies and standardized nationwide training.
- The Parliamentary Standing Committee reconsidered the support for the All India Judicial Service in the year 2006.

Constitutional basis:

- **Article 312 of the Constitution provides for the establishment of the AIJS on a proposal supported by not less than two-thirds of the members of the Rajya Sabha, similar to the Central Civil Services.**
- However **Article 312(2)** states that the **AIJS cannot include any post below the level of District Judge (defined in Article 236).**
- **According to Article 236**, a District Judge includes Municipal Civil Court Judge, Additional District Judge, Joint District Judge, Assistant District Judge, Chief Justice of Small Causes Court, Chief Presidency Magistrate, Additional Chief Presidency Magistrate, Session Judge, Addition-

al Session Judge and Assistant Sessions Judge.

Need:

- **AIJS will ensure uniform and high standards of selection and training of judges , thereby enhancing the quality and efficiency of the judiciary.**
- **AIJS will fill the vacancies of judges in lower courts , currently around 5,400 posts are vacant in the lower judiciary across the country and 2.78 crore cases are pending in the lower judiciary mainly due to inordinate delay in conducting regular examinations by the states.**
- AIJS will increase the representation and diversity of judges from different regions, genders, castes and communities reflecting the **social structure of the country .**
- **AIJS will reduce the scope for judicial or executive interference in judicial appointments , thereby ensuring the independence and accountability of judges .**
- AIJS will create a pool of talented and experienced judges who can be appointed to the higher judiciary, thereby improving the future prospects of judges and their mobility.

Present situation:

- Due to different opinions in this regard among all the major stakeholders in India, **no consensus has been reached on AIJS till the year 2023.**
- This highlights the challenges in achieving consensus on the proposal to establish AIJS.

How are district judges currently recruited?

- The current system consists of **Articles 233 and 234 which empower the states to appoint district judges, which is managed through the State Public Service Commissions and the High Courts, as the High Court exercises jurisdiction over the subordinate judiciary in the state. Is.**
- A panel of High Court judges interviews the candidates after the examination and selects them for appointment.

- All judges up to the level of District Judge of the lower judiciary are selected through the Provincial Civil Services (Judicial) Examination. PCS (J) is commonly known as Judicial Services Examination.
- Article 233 deals with **the appointment of District Judges .** The appointment, posting and promotion of District Judges in any State shall be made by **the Governor of the State in consultation with the High Court exercising jurisdiction over such State.**
- **Article 234 deals with the recruitment of persons other than District Judges to the judicial service .**

What are the concerns regarding AIJS?

- This would be a violation of **the federal structure and the autonomy of the States and High Courts, which have the constitutional power and responsibility to administer the subordinate judiciary.**
- This would lead to conflict of interest and dual control over judges, who would be **answerable to both the Central and State governments .**
- This will disregard the local laws, languages and customs of different states, which are essential for the effective functioning of the judiciary.
- This will impact the morale and motivation of **existing judicial officers ,** who will be deprived of opportunities and incentives for career advancement.

The way forward to move towards solving the problem:

- Dialogue and consultation should be facilitated with states, high courts and legal experts to address concerns and garner support for AIJS.
- Consideration should be given to implementing AIJS on a pilot basis in select states to assess its impact and gradually address the concerns.
- Designing AIJS with flexible mechanisms that allow adaptation to local methods, languages and customs should also ensure effective functioning without neglecting regional nuances.

- Proposing a clearly defined transition period during which existing judicial officers can smoothly adapt to the new system while minimizing disruptions.
- There is a need to put in place a periodic review mechanism to assess the impact of the AIJS on the federal structure, autonomy and effective functioning of the judiciary and make necessary adjustments as required.
- Develop an incentive structure within the AIJS that motivates and recognizes the contributions of existing judicial officers while addressing concerns related to career advancement.

Constitutional Perspective for AIJS:

- AIJS was first proposed by the 14th Report of the Law Commission in the year 1958 .
- By the 42nd Constitutional Amendment in the year 1976, Article 312(1) was amended to empower the Parliament to make laws for the creation of one or more All India Services, including AIJS, with equal powers for both the Union and the States. Is.
- Under Article 312 , the Rajya Sabha is required to pass a resolution supported by at least two-thirds of its members present and voting. After this, Parliament will have to make a law to create AIJS.
- This means that no constitutional amendment will be required for the establishment of AIJS.
- The Supreme Court of India also supported this in the case 'All India Judges Association vs Union of India' (1993) and said that AIJS should be established.

Benefits of AIJS:

- **Number of judges as per population ratio: A Law Commission report (year 1987) recommended that India should have 50 judges per million population as compared to (then) 10.50 judges.**
- This figure exceeds 20 judges in terms of the current sanctioned strength, but is much lower than the US or the UK (107 and 51 judges per million people, respectively).

- AIJS thus envisages bridging the inherent gap in the judicial sector.
- **Higher representation of marginalized sections of the society :** According to the government, AIJS is an ideal solution for equal representation of marginalized and deprived sections of the society.
- **Attracting talent: The government believes that if such a service comes up, it will help in creating a pool of talented people who can later become part of the higher judiciary.**
- **'Bottom-up' approach: 'Bottom-up' approach in recruitment will also be helpful in dealing with issues like corruption and nepotism in the lower judiciary. This will improve the quality of the justice system in the lower levels of the society.**

Related Challenges:

- **Dichotomy between Articles 233 and 312: According to Article 233, recruitment to the subordinate judiciary is the prerogative of the State.**
- This has led many states and high courts to oppose the idea as being against federalism.
- If the fundamental power of the states to make such rules and control the appointment of district judges is taken away, it may go against the principle of federalism and the basic structure principle.

Note:

- **Article 233 (1) of the Constitution** states that "The appointment of persons to be District Judges in any State and the posting and promotion of District Judges shall be made by the Governor of that State after consultation with the High Court exercising jurisdiction in relation to such State." Will do."
- **Linguistic barrier: Since cases are argued in lower courts in local languages, there are apprehensions as to how a person from North India can get a hearing in a southern state. Thus another fundamental concern regarding AIJS**

is the language barrier.

- **Constitutional Limit:** Clause 3 of Article 312 imposes a restriction that the AIJS shall not include a post not lower than the post of District Judge. Thus the appointment of subordinate judiciary through AIJS may face constitutional hurdles.
- **Weakening the administrative control of the High Court:** The creation of AIJS will lead to erosion of control of the High Courts over the subordinate judiciary, which may affect the independence of the judiciary.

Conclusion:

The number of pending cases and crores of prisoners lodged in the jails in the name of 'undertrial' in Indian jails certainly demands the establishment of a clean, transparent, competitive and merit based recruitment system which ensures speedy disposal of cases. To recruit a large number of skilled and qualified judges. However, before AIJS comes into the legislative framework, there is a need to build consensus and take a decisive step towards AIJS. At the same time, governments also need to create mutual coordination between Rajya Sabha and Lok Sabha so that in future All India Judicial Service posts are created. In the direction of creation, the mutual deadlock between the judges appointed by the Collegium and the government should be ended and the way can be paved for positive initiatives towards the creation of posts like All India Judicial Service.

BHARATIYA NYAYA SANHITA BILL 2023

Why in the news?

Recently, the Lok Sabha passed three Bills through a voice vote, signaling a significant step towards the comprehensive reform of India's criminal justice system by replacing outdated colonial-era laws. Among these, the Bharatiya Nyaya Sanhita Bill 2023 introduces substantial modifications to the Indian Penal Code it intends to supplant.

Background:

The Indian Penal Code (IPC), drafted in 1834 by

the first Law Commission under the chairmanship of Thomas Babington Macaulay, came into effect in January 1860. The BNS Bill, introduced in 2023, seeks to replace the IPC with a more modern and updated set of laws. In contrast to the IPC's 511 sections, the BNS Bill is designed with 356 provisions, reflecting a streamlined and contemporary approach to criminal legislation.

Key Reforms in Recent Indian Legislation:

The recent legislative changes in India aim to overhaul the criminal justice system by replacing colonial-era laws with a distinctly Indian ethos. Three crucial bills, the Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Nagarik Suraksha Sanhita, 2023, and Bharatiya Sakshya Bill, 2023, have been introduced to replace the Indian Penal Code (IPC), Code of Criminal Procedure (CrPC), and the Indian Evidence Act, respectively.

New Offenses under Bhartiya Nyaya Sanhita, 2023:

Deceitful Promise to Marry:

- Clause 69 addresses the love jihad narrative, criminalizing deceitful promises to marry.
- Criminalizes consensual sexual activity through the provision on sexual intercourse not amounting to the offense of rape.
- Targets false promises of marriage, employment, promotion, inducement, or marriage after suppressing identity.

Provisions on Mob Lynching:

- Codifies offenses related to mob lynching and hate-crime murders, punishing mobs of five or more individuals committing murder.
- Punishments extended from life imprisonment to death.
- Originally proposed minimum sentence aligned with murder charges.

Dealing with Organized Crime:

- Marks a significant shift by bringing organized crime under ordinary criminal law.
- Eliminates the need for special state legis-

lations, such as the Maharashtra Control of Organized Crime Act, 1999.

- Uniform punishment for attempting or committing organized crime; severity depends on whether death is involved.

● Petty Organized Crime:

- Introduces a distinct category criminalizing activities like theft, snatching, cheating, unauthorized selling of tickets, unauthorised betting or gambling, selling of public examination question papers.
- Drops the overbroad language causing “general feelings of insecurity” from the earlier version.

● Terrorism:

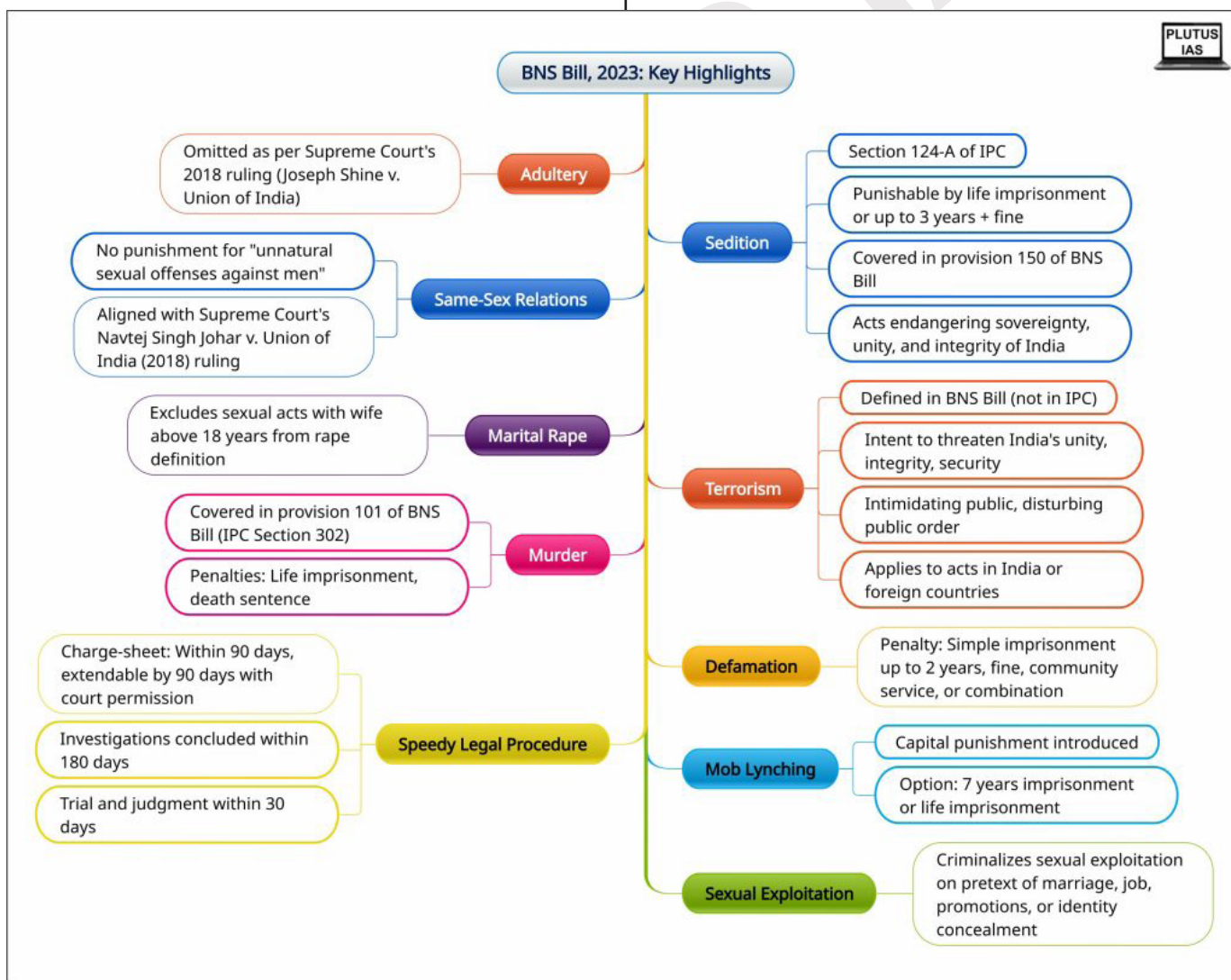
- Adopts language from the Unlawful Atroci-

ties Prevention Act, expanding the scope of terrorism within ordinary criminal law.

- Borrowing definitions from the Philippines Anti-Terrorism Act, 2020.
- Broader provisions on terror financing compared to UAPA, raising questions about concurrent operation and procedural differences.

● Provision on Attempted Suicide:

- Criminalizes attempts to commit suicide with the intent to compel or restrain a public servant from discharging official duties.
- Prescribes jail term up to one year with community service.
- Aims to prevent self-immolations and hun-



ger strikes during protests.

Provisions Repealed Under Bharatiya Nyaya Sanhita, 2023:

- **Unnatural Sexual Offenses (Article 377):**

- Section 377 of the IPC, criminalizing homosexuality and unnatural sexual activities, has been repealed.
- Concerns arise due to the total omission of Section 377, as it could still be useful in addressing non-consensual sexual acts, especially given the gendered nature of rape laws.
- The Supreme Court in 2018 declared Article 377 unconstitutional only in the context of criminalizing consensual homosexual relationships.

- **Adultery:**

- The offense of adultery, previously deemed unconstitutional by the Supreme Court in 2018, has been omitted under the Bharatiya Nyaya Sanhita (BNS).

- **Provision on Thugs:**

- Section 310 of the IPC, labeling individuals associated with robbery or child-stealing as "thugs," is fully omitted under the BNS.
- Criticized for attaching colonial notions of criminality, especially concerning certain tribes.

Changes Added to Existing Laws:

- **Gender Neutrality:**

- While rape laws continue to apply only to women, the BNS introduces gender neutrality in other laws, especially those related to children.
- Offenses dealing with procurement of a girl (366A of the IPC) made gender-neutral.
- Uniform age limit of 18 for both males and females in the offense of kidnapping minors (Section 361 of the IPC).

- **Fake News:**

- Introduces a new provision in place of Sec-

tion 153B of the IPC, criminalizing the publication of false and misleading information.

- It aims to combat the spread of fake news, addressing concerns related to national harmony.

- **Sedition:**

- Despite initial claims of repealing the law on sedition, the BNS introduces the offense under a new name (from rajdroh to deshdroh) with a broader definition.
- Encompasses aiding through financial means acts of subversive activities and encouraging separatist sentiments.

- **Mandatory Minimum Sentence:**

- Section 303 of the IPC, which mandated a death sentence for murder committed by a life-convict, was struck down in 1983 as unconstitutional.
- The BNS modifies this provision, prescribing a punishment of death or imprisonment for life, meaning the remainder of the person's natural life.

Conclusion:

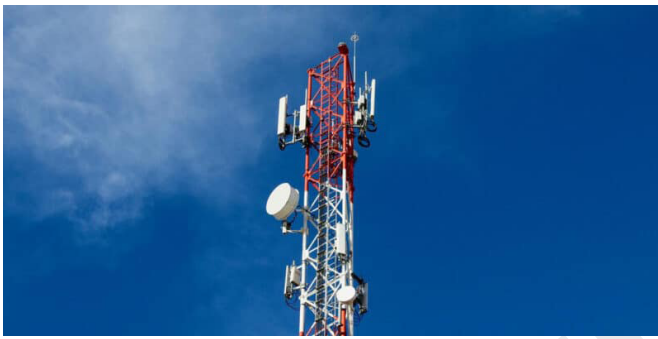
The adoption of the Bharatiya Nyaya Sanhita and associated reforms represents a significant transformation in India's criminal justice system. Beyond numerical changes, these reforms signify a reclaiming of India's identity, shedding the colonial legacy that had left indelible marks on the system. The paradox of India's criminal justice system, deeply influenced by colonial history, is being addressed through these legislative changes.

'TELECOM BILL 2023' AND DIGITAL SOVEREIGNTY IN INDIA: FUTURE AND CHALLENGES.

Why in discussion?

Union Telecommunications Minister of the Government of India, Ashwini Vaishnav recently introduced the '**Telecommunications Bill 2023**' in the

Rajya Sabha . This bill was passed in the Lok Sabha only on 20 December 2023. After Lok Sabha, Rajya Sabha has also passed this bill by giving its approval by voice vote. **It also amends the Telecom Regulatory Authority of India (TRAI) Act, 1997.** Under this bill itself, non-auction process will be adopted for allocation of satellite spectrum. The Bill allows the Central Government to take over the telecommunication network in case of any public emergency or in the interest of public safety. This new bill will replace **the Indian Telegraph Act 1885, the Indian Wireless Telegraphy Act 1933 and the Telegraph Telegraph (Unlawful Possession) Act 1950** . With this, the Indian Telecom Bill 2023 has now been approved by the Parliament.



Major Provisions of the Indian Telecom Bill 2023:

- **Authorization for telecommunication related activities:** Service provider companies will now require prior authorization from the Central Government for providing telecommunication services , establishing, operating, maintaining or expanding telecommunication networks or possessing radio equipment. Existing licenses shall remain valid for the period of their grant or for five years where the period is not specified.
- **Allocation of Spectrum:** Spectrum will be allocated by auction, except for specified uses, where it will be allocated on administrative basis. These include purposes like national security and defence, disaster management, weather forecasting, transport, satellite services like DTH and satellite telephony and purposes like BSNL, MTNL and public broadcasting services.
- **The Central Government can re-purpose or re-allocate** any frequency range . The central government can also allow sharing, trading, leasing and surrender of spectrum.
- **Satellite Internet allocation:** The bill introduces provisions to allocate spectrum to satellite internet providers like **OneWeb (backed by Bharti)** and **US-based companies like SpaceX's Starlink**.
- Currently, active authorizations have been granted to **OneWeb and Jio** , paving the way for satellite-based Internet services.
- **Powers of interception and search:** Messages or a class of messages between two or more persons can be intercepted, monitored or blocked on certain grounds .
- Such actions must be necessary or expedient in the interest of public safety or public emergency and must also be in the interest of specified grounds, including the security of the State, prevention of incitement to crimes, incitement or threat of incitement of communal riots or ethnic violence by false news, etc. Involves arrangements to control crime or public law and order.
- **Telecom services can be suspended on this basis:** The Government may take temporary possession of any telecommunications infrastructure, networks or services in case of any public emergency or public safety.
- Any officer authorized by the Government may search premises or vehicles containing unauthorized telecommunications networks or equipment.
- **Powers to prescribe standards:** The Central Government can prescribe standards and evaluation for telecommunication equipment, infrastructure, networks and services .
- **Telecom Providers Easement Right of Way:** The Bill allows utility providers to seek right-of-way/right-of-way on public or private property for setting up telecommunication infrastructure .
- This should, as far as possible, provide access

to information on a non-discriminatory and non-exclusive basis.

- **Priority transmission of messages during disaster:** During any public emergency, the Central or State Government may temporarily suspend any telecommunication service.
- The government may establish a system to guarantee that messages sent by authorized users are transmitted first for response and recovery.
- **New provision for media:** According to the new bill, messages of correspondents accredited by the Central or State Governments will not be stopped unless their broadcast is prohibited under the rules applicable to public emergency and public order.
- **3 years jail and fine of Rs 50 lakh for SIM card fraud:** There are strict provisions in the bill to stop issuing fake SIM cards. Any kind of SIM card fraud will attract a jail term of three years and a fine. Under the bill, there is a provision of up to three years in jail or a fine of up to Rs 50 lakh for selling, buying and using SIM cards. Biometric data will be taken to sell the SIM only after that the SIM will be issued.
- **Protection of privacy of consumers or users:** The Central Government may provide measures to protect the privacy of consumers or users including: prior consent to receive specified messages such as advertising messages, creation of 'Do Not Disturb' registers and providing information to consumers about the privacy of consumers or users. or establishing a mechanism to allow users to report malware or specified messages.
- **Biometric authentication should be mandatory for telecom customers to deal with spam calls and messages.**
- Entities/companies providing telecom services will have to set up an online mechanism for registration and redressal of complaints.
- **Authority to Waive fees:** The Bill gives the government the power to waive entry fees, license fees, fines etc. in the interest of consumers.
- **Appointments to the Telecom Regulatory Authority of India (TRAI):** This Bill amends the TRAI Act to allow persons with at least 30 years of professional experience to serve as Chairman/Chairperson and to serve as members. Minimum of 25 years of professional experience is allowed.
- **Digital India Fund: The Universal Service Obligation Fund has been established under the 1885 Act** to provide telecommunication services in deprived areas.
- This provision has been retained in this Bill, but the name of the fund has been changed to Digital India Fund and it also allows its use for research and development.
- **Regulation of OTT apps:** The Bill has removed over-the-top (OTT) services and apps from the definition of telecommunication services, giving major relief to communication service providers like WhatsApp and Telegram.
- **The Ministry of Electronics and Information Technology will handle regulation of OTT apps under a potential Digital India Act, which is not included in the Telecom Bill.**
- **Provision of Offences and Punishments under it:** The Bill specifies various criminal and civil offences. Providing telecommunication services without authorization or gaining unauthorized access to telecommunication networks or data is punishable with imprisonment of up to three years, fine up to two crore rupees, or both.
- Violation of the terms and conditions of the authority may impose a civil penalty of up to Rs 5 crore.
- Possession of unauthorized equipment or use of unauthorized network or service may attract a fine of up to Rs 10 lakh.
- **Procedure for appointment of officer to inquire into and adjudicate against civil offences:** The Central Government shall appoint an adjudication officer to inquire into and pass orders against civil offenses under this Bill.

- The officer should be of the rank of Joint Secretary and above.
- Appeals against the orders of the Adjudicating Officer can be made **before the designated Appeal Committee within 30 days**.
- Appeals against the orders of the Committee regarding violation of terms and conditions can be filed within 30 days in the Telecom Disputes Settlement and Appellate Tribunal (TDSAT).
- **Integrating the Trusted Source Mechanism: A measure initially established following the India-China border conflict in 2020 to prevent import of telecommunications equipment from potentially adversarial countries has now been integrated into this law.**

Issues:

- **Decline in Average Revenue Per User (ARPU):** The decline in ARPU has been steadily accelerating, with declining profits and in some cases serious losses, leading the Indian telecom industry to seek consolidation as the only way to increase revenues.
- **Lack of telecom infrastructure in semi-rural and rural areas:** Service providers have to bear huge upfront fixed costs to enter semi-rural and rural areas.
- **Margin pressure due to competition:** With competition intensifying after the entry of Reliance Jio, other telcos are experiencing a sharp decline in tariff rates for both voice calls and data (more important for data customers).

Status of Telecom Sector in India:

Present situation:

- The telecom industry sector in India is the **second largest in the world with a user base of 1.179 billion (wireless + wireline users) by August 2023.**
- The telecom industry sector is the **fourth largest in terms of FDI inflows to India, contributing 6% to India's total FDI inflows in terms of FDI sector.**

- The total tele-density in India is **84.69%** Tele-density refers to the number of telephones per 100 population and is a key indicator of access to telecommunications.
- The average monthly data consumption per wireless data user has also increased from 61.66 MB in March 2014 to 17.36 GB in March 2023.

Government Initiatives Launched by Government of India:

- The Department of Information Technology aims to set up more than 1 million internet-enabled Common Service Centers across India, as per the **National e-Governance Plan**.
- The FDI limit in the telecom sector has been increased from 74 per cent to 100 per cent of which 49 per cent will be through the automatic route, while the remaining will be through the Foreign Investment Facilitation Portal (FIPB) approval route.
- FDI up to 100 per cent is permitted for infrastructure providers offering dark fibre, electronic mail and voice-mail.
- **Prime Wi-Fi Access Network Interface (PM-WANI)**
- **BharatNet Project.**
- **Production Linked Incentive (PLI) Scheme for manufacturing of telecom and networking products.**
- **India 6G Alliance.**

Concerns about the bill:

- **Privacy Concerns:** To curb fraud, it is mandatory for organizations to perform biometric authentication of their users. This increases users' privacy concerns.
- **Ambiguity in definition:** The new definition of 'telecommunication services' has been kept general and is open to wide interpretation.
- Specific reference to OTT communication services has been removed from the definition of 'telecommunication services'.

- **Network capture:** The bill empowers the government to take “temporary control/occupy” the network.
- According to experts, the government needs to define ‘possession’ and specify how long the ‘temporary’ tenure will last.
- **Potential misuse of power:** The Bill empowers the Central and State governments to suspend communications during any public emergency or ‘in the interest of public safety’. However, this power can also be misused by the government to prevent dissent .
- **Restrictive powers of TRAI:** The draft also has a provision to allow the appointment of private sector corporate executives to the role of TRAI Chairman.
- This change may limit the role of TRAI as no industry watchdog will have a neutral and independent perspective to promote progressive and positive developments in the telecom sector.
- **Spectrum Allocation:** There is difference of opinion among private telecom companies on this matter.
- During TRAI’s consultation process in June this year, Elon Musk’s Starlink, Amazon’s Project Kuiper and India’s Tata Group opposed the allocation of satellite spectrum through auction. While Bharti Airtel and Reliance Jio supported the spectrum auction .

The Way Forward to Solve the Problems of The Telecom Sector:

- Given the vast opportunities in this sector, there is a need for an active and facilitative government role in the telecom sector.
- **The Telecom Regulatory Authority of India (TRAI) , an independent and statutory body, should play an important role as a watchdog of this sector.**
- A more proactive and timely dispute resolution by **TDSAT (Telecom Dispute Settlement and Appellate Tribunal)** is the need of the hour.

- The new regulatory act should contain relevant provisions on measures to ensure emergency situations, public safety and national security.
- Also the punishment should be proportionate to the violation, keeping this in mind there is a need to update the new law, bringing together the various provisions on penalties and offences.

PRELIMS QUESTIONS

Q1. Consider the following pairs:

1. Nagaland : Article 371-A
2. Assam : Article 371-B
3. Sikkim : Article 371-E

How many of the above pairs are correctly matched?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Q2. Which of the following have provisions for the disqualification of a Member of Parliaments?

1. Rule of Procedure of Lok Sabha and Rajya Sabha
2. Constitution of India
3. RPA, 1951
4. Schedule 1 of constitution

How many statements are correct:

- (a) Only 1
- (b) Only 2
- (c) Only 3
- (d) Only 4

Q3. Consider the following statements with reference to All India Judicial Service in India .

1. The authority for appointment and manage-

ment of District Judges and Subordinate Courts in India is exercised through the State Public Service Commissions and the High Courts of the respective States.

2. The All India Judicial Service aims to centralize the recruitment of judges, similar to the Union Public Service Commission (UPSC) model, and assign charge of states to successful candidates.
3. Article 312 of the Constitution provides for the establishment of the AIJS on a proposal supported by not less than two-thirds of the members of the Rajya Sabha, similar to the Central Civil Services.
4. AIJS was first proposed by the 14th Report of the Law Commission in the year 1958.

Which of the above statement/statements is correct?

- (a) Only 1, 2 and 3
- (b) 1, 3 and 4 only
- (c) None of these
- (d) all of which

Q4. Regarding the Bharatiya Nyaya Sanhita Bill 2023 recently seen in the news, consider the following statements:

1. It abolishes Sedition Law.
2. It makes the Rape Law Gender Neutral i.e victim can be a male or a female.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Q5. Consider the following statements in the context of 'Telecom Bill 2023' .

1. It relates to amendments to the Telecom Regulatory Authority of India (TRAI) Act, 1997.
2. The telecommunications industry in India is the

second largest industry in the world in terms of users.

3. Now under this bill itself, non-auction process will be adopted for allocation of satellite spectrum.
4. The Bill allows the Central Government to take over the telecommunication network in case of any public emergency or in the interest of public safety.

Which of the above statement/statements is correct?

1. Only 1, 3 and 4
2. only 2 and 4
3. All of these.
4. None of these.

ANSWERS

S. No.	Answers
1.	B
2.	C
3.	D
4.	D
5.	C

MAINS QUESTIONS

Q1. Examine the significance associated with the special category status conferred upon certain states in India. Also, analyze the controversies surrounding special category states

Q2. What are the tools to ensure accountability of the Executive. To what extent, the Parliament is able to ensure accountability of the executive in India. Critically Analyze?

Q3. Discuss how the establishment of All India Judicial Service in India is a positive step in the field of judiciary in the context of recruitment of judges from diverse backgrounds through merit-based, competitive and transparent process for speedy and accessible justice system in India. ? Describe

its current relevance by discussing the constitutional and legal obstacles to its creation.

Q4. Discuss the Significance and Objectives of the Bharatiya Nyaya Sanhita Bill 2023 in Overhauling India's Criminal Justice System.

Q5. Highlight the major provisions of the Telecom Bill 2023 and discuss whether it violates the 'Right to privacy of the Individual?' How does it promote digital inclusion and digital literacy in India? Give a logical explanation.

SECURITY

MH-60R SEAHAWK HELICOPTER

Why in the News?

Lockheed Martin has delivered the sixth MH-60R "Romeo" helicopter to the Indian Navy. The company anticipates concluding the delivery of all MH-60R helicopters ordered by India by the year 2025.

Acquisition and Specifications:

India has entered into a contract with the United States for the acquisition of 24 MH-60R helicopters, investing \$2.6 billion. This deal encompasses India-specific modifications and the integration of advanced weaponry, including Hellfire air-to-surface missiles and Mark 54 anti-submarine torpedoes.

Operational Range and Capabilities:

Renowned for its multi-role capabilities, the MH-60R Seahawk excels in anti-submarine warfare (ASW), maritime surveillance, anti-smuggling, anti-piracy, and search-and-rescue missions. Equipped with cutting-edge sensors, systems, and weapons, it provides a versatile platform for diverse naval operations.

Deployment and Operational Significance:

- **Aircraft Carrier Operations:**
 - Deployed on India's aircraft carrier INS Vikramaditya, the MH-60R significantly enhances aerial capabilities.
 - Successful landings on INS Vikrant and INS Kolkata attest to their compatibility for carrier-based operations.
- **Strategic Maritime Security:**
 - Induction of MH-60R helicopters strengthens India's maritime security, bolstering anti-submarine and anti-surface warfare capabilities.
 - Key roles include patrolling critical maritime zones, safeguarding territorial waters, and countering maritime threats.

- **Versatility and Operational Flexibility:**

- The MH-60R's adaptability for various missions ensures operational flexibility, addressing diverse maritime challenges like piracy, smuggling, and search-and-rescue operations.

INDIGENOUS INTEGRATION AND FUTURE PLANS:

- **India-Specific Modifications:**

- Ongoing modifications tailor the helicopters to meet the Indian Navy's operational needs and adapt to the specific maritime environment.

- **Strategic Partnership with the United States:**

- This procurement underscores the strategic defense partnership between India and the United States, providing access to advanced military technology and equipment.

MH-60R SEAHAWK OVERVIEW:



OPERATIONAL FEATURES:

- **Enhanced Maritime Surveillance:**
 - State-of-the-art sensors monitor surface vessels and submarines, ensuring effective threat detection.
- **Anti-Submarine Warfare (ASW):**
 - Utilizes sophisticated sonar systems to detect and engage submarines with torpedoes and depth charges.
- **Anti-Surface Warfare (ASuW):**
 - Engages and neutralizes surface threats using precision-guided missiles and rockets.
- **Search and Rescue (SAR):**
 - Capable of medical evacuation and SAR operations, serving as a crucial asset in maritime emergencies.

where modernization is crucial, and analyze the impact of updated security technologies on enhancing the effectiveness of defense and law enforcement agencies.

PRELIMS QUESTIONS

Q1. 'MH-60R Seahawk' recently seen in the news is a:

- (a) New attack helicopters purchased by India from USA
- (b) Torpedo developed by DRDO
- (c) India's latest Nuclear power propelled Submarine
- (d) India's first Solar powered Coast Guard Ship

ANSWERS

S. No.	Answers
1.	A

MAINS QUESTIONS

Q1. Examine the significance of modernizing security hardware in the context of contemporary national security challenges. Discuss the key areas

ENVIRONMENT AND ECOLOGY

CLIMATE CHANGE: FUTURE AND CHALLENGES

Why in News?

India has emerged as the voice of developing countries on the issue of climate change under the leadership of the Prime Minister of India, Shri Narendra Modi in the Delhi Declaration (Delhi Agreement) signed during the hosting of the G-20 conference in the year 2023. During the G-20 conference, in the Delhi Agreement, the idea of green belt for 'sustainable development' under the leadership of India has been put forward, which has been accepted by the whole world. Developing countries need financial assistance and technology transfer for the development of their country, unless the technology transfer from the developed countries of the world to the developing countries is done properly, the whole world will not be able to achieve development with climate and environmental protection. Will not be able to achieve the target.

Why do we need action?

Climate change is a global problem today that is now affecting every country on every continent. Not only is it disrupting national economies, it is also affecting human lives, and in the future, it will affect the present and future of people, communities and countries even more.

Current reference:

The issue of climate change is well known around the world. It cannot be denied that climate change is currently the biggest challenge facing the global society and dealing with it has become the biggest need of the present time. Data show that the average temperature at the Earth's surface has increased by about 1.62 degrees Fahrenheit (i.e., about 0.9 degrees Celsius) since the end of the 19th century. Apart from this, the sea water level has also increased by about 8 inches since the last century. Statistics clearly show that the present time is

to think seriously towards climate change.

What is climate change?

- In general, climate refers to the average weather in a given area over a long period of time. Therefore, when there is a change in the average weather of a particular area, it is called climate change.
- Climate change can be felt not only in a particular place but also in the entire world. If we talk about the present context, its effect is being seen almost all over the world.
- The climate has changed many times throughout the history of the Earth and many incidents of climate change have occurred.
- Scientists who study the Earth say that the Earth's temperature is continuously increasing. The Earth's temperature has increased by 1 degree Fahrenheit in the last 100 years. This change in the Earth's temperature may be very small in number, but any such change can have the biggest impact on mankind.
- Some effects of climate change can still be felt today. Due to increase in the earth's temperature, glaciers are melting and the water level of the oceans is increasing, as a result the risk of natural disasters and sinking of some islands has also increased.



Our changing climate:

- Climate change is affecting our planet (Earth)

from one pole to the other. NOAA monitors global climate data and following are some of the changes recorded by NOAA in recent years –

- From 1901 to 2020, global temperatures rose by about 1.8°F (1°C).
- Sea level rise has increased from 1.7 mm/year during most of the twentieth century to 3.2 mm/year since 1993.
- Glaciers are shrinking: The average thickness of 30 well-studied glaciers has decreased by more than 60 feet since 1980.
- The area covered by sea ice in the Arctic in late summer has decreased by about 40% since 1979.
- The amount of carbon dioxide in the atmosphere has increased by 25% since 1958 and by about 40% since the Industrial Revolution.
- Snow is melting earlier than the long-term average.
- Due to climate change

Greenhouse Gases:

- There is a layer of greenhouse gas around the Earth, this layer includes gases like methane, nitrous oxide and carbon dioxide.
- This layer of greenhouse gases is essential in maintaining the temperature balance on the earth's surface and according to analysts, if this layer is not there then the temperature of the earth will reduce significantly.
- As human activities are increasing in the modern era, the emissions of greenhouse gases are also increasing and due to which the global temperature is increasing.

Main greenhouse gases:

- **Carbon dioxide** – It is considered the most important greenhouse gas and is emitted due to both natural and human causes. According to scientists, most of the emissions of carbon dioxide come from burning fossil fuels for energy. Statistics show that after the Industrial Revolution,

there has been a 30 percent increase in the amount of carbon dioxide globally.

- **Methane** – Decomposition of organic matter is a major source of methane. It is noteworthy that methane is a more effective greenhouse gas than carbon dioxide, but its quantity in the atmosphere is less than that of carbon dioxide.
- **Chlorofluorocarbon** – It is mainly used in refrigerants and air conditioners etc. and it has a very adverse effect on the ozone layer.

Change in land use:

Deforestation for commercial or personal use is also a major factor in climate change. Trees not only provide us with fruits and shade, but they also absorb important greenhouse gases like carbon dioxide from the atmosphere. The way trees are being cut at present is quite worrying, because trees act as a natural mechanism for absorbing carbon dioxide from the atmosphere and with their destruction, we will lose that natural mechanism as well.

In some countries such as Brazil and Indonesia, deforestation is the leading cause of greenhouse gas emissions.

Urbanization:

Due to urbanization and industrialization, there has been a lot of change in the way of living of people. The number of vehicles on roads around the world has increased significantly. Changes in lifestyle have contributed significantly to the emission of hazardous gases.

Effects of climate change:

High temperature:

Greenhouse gas emissions from power plants, automobiles, deforestation, and other sources are warming the Earth relatively quickly. The global average temperature has been rising continuously over the past 150 years and the year 2016 was recorded as the hottest year. Increased temperatures can also be attributed to an increase in heat-related deaths and illnesses, rising sea levels, increased intensity of hurricanes, and many other dangerous consequences of climate change. A research has

found that if the issue of greenhouse gas emissions is not taken seriously and efforts are not made to reduce it, then the average temperature of the earth's surface may increase by 3 to 10 degrees Fahrenheit by the end of the century.

Change in rainfall pattern:

Irregularities of floods, droughts and rains etc. have increased significantly in the last few decades. All this is happening as a result of climate change. There is a lot of rainfall in some places, while in some places there is a possibility of drought due to lack of water.

Rise in sea level:

Globally, during global warming, glaciers melt and sea level rises, due to which the risk of submergence of islands around the sea also increases. People living in small island countries like Maldives are already looking for alternative destinations.

Loss of Wildlife Species:

Rising temperatures and changes in vegetation patterns have forced some bird species into extinction. According to experts, one-fourth of the Earth's species could become extinct by the year 2050. In 2008, polar bears were added to the list of animals that could become extinct due to sea level rise.

Spread of diseases and economic losses:

Experts have predicted that as a result of climate change in the future, diseases like malaria and dengue will increase further and will be difficult to control. According to World Health Organization (WHO) data, more than 150,000 people have died due to heat waves since last decade.

Forest fire:

Prolonged heat waves caused by climate change have created hot and dry conditions suitable for wildfires. According to data from the Brazil-based National Institute for Space Research (INPE), since January 2019, Brazil's Amazon forests have faced a total of 74,155 forest fires. It has also come to light that the incidence of fire in the Amazon forest has increased by 85 percent since last year (2018).

Climate Change and Food Security:

- Food shortage may arise due to reduced crop production due to climate change, and problems like land degradation may also arise.
- Asia and Africa are already dependent on imported foods. These areas may become vulnerable to drought due to rapidly rising temperatures.
- According to the IPCC report, low-altitude areas are already seeing declines in yields of crops like wheat and corn.
- The nutritional quality of crops is decreasing due to increase in the amount of carbon in the atmosphere. For example, due to high carbon environment, the nutritional value of wheat is decreasing by 6% to 13% of protein, 4% to 7% of zinc and 5% to 8% of iron.
- Crop yields are falling due to the heat wave in Europe.
- The Bloomberg Agriculture Spot Index, a price gauge of nine crops, fell to its lowest level in a decade in May. The volatility of this index reflects the instability of food security.

Global efforts to tackle climate change:

Intergovernmental Panel on Climate Change (IPCC):

- The Intergovernmental Panel on Climate Change (IPCC) is a United Nations body responsible for conducting scientific assessments related to climate change. In which there are 195 member countries.
- It was established in 1988 by the United Nations Environment Program (UNEP) and the World Meteorological Organization (WMO).
- Its purpose is to provide regular scientific assessments of climate change, its impacts and potential future risks, as well as to inform policymakers' strategies for adaptation and climate change mitigation.
- IPCC assessments provide governments at all levels with scientific information that can be

used to develop climate-resilient policies.

- IPCC assessments play an important role in international negotiations to combat climate change.

United Nations Framework Convention on Climate Change (UNFCCC):

- It is an international agreement aimed at controlling the emissions of greenhouse gases into the atmosphere.
- This agreement was made during the Earth Summit in June 1992. After the signing of this agreement by various countries, it came into force on March 21, 1994.
- Annual meetings of the UNFCCC have been organized continuously since 1995. Under this, the much-discussed Kyoto Protocol was signed in the year 1997 and targets were set by the developed countries (countries included in Annex-1) to control greenhouse gases. Under the Kyoto Protocol, 40 industrialized countries have been kept in a separate list Annex-1.
- The annual meeting of the UNFCCC is known as the Conference of the Parties (COP).

Paris agreement:

- The Paris Agreement is an international agreement to deal with climate change.
- From 30 November to 11 December 2015, representatives of governments from 195 countries met in Paris to discuss a possible new global agreement to combat climate change.
- The Paris Agreement, consisting of 32 pages and 29 articles aimed at reducing greenhouse gas emissions, is recognized as a landmark agreement to curb global warming.

Climate change issues and India's efforts:

National Action Plan on Climate Change (NAPCC):

- The National Action Plan on Climate Change in India was launched in the year 2008.
- Its objective is to sensitize public representatives, various agencies of the government, sci-

entists, industry and communities about the threat posed by climate change and measures to combat it.

This action plan mainly includes 8 missions:

- National Solar Mission.
- National Mission for Advanced Energy Efficiency.
- National Mission on Sustainable Habitat.
- National Water Mission.
- National Mission for Sustainable Himalayan Ecosystem.
- National Mission for Green India.
- National Mission for Sustainable Agriculture.
- National Mission on Strategic Knowledge for Climate Change.
- Apart from this, State Action Plans on Climate Change (SAPCC) have been prepared by the States and Union Territories of India, which is in line with the objectives of NAPCC.

International Solar Alliance (ISA)

The International Solar Alliance is a treaty-based international intergovernmental organization of solar energy-rich countries.

The International Solar Alliance was launched by India and France on November 30, 2015 during the Paris Climate Conference.

Its headquarters is in Gurugram (Haryana).

The key objectives of the ISA include achieving more than 1000 GW of solar power generation capacity globally and mobilizing approximately \$1000 billion for investment in solar energy by 2030.

The first meeting of the International Solar Alliance was organized in New Delhi.

Protective measures to prevent climate change:

- The use/use of fossil fuels should be reduced as much as possible.

- Natural sources of energy should be adopted, like solar energy, wind energy etc.
- Forests and trees should be saved from cutting and more trees should be planted.
- Materials that are difficult and impossible to decompose like plastic should not be used.
- Natural and renewable sources of energy should be adopted in greater numbers and quantities – like solar energy, wind energy etc.

the context of increasing global warming?

PRELIMS QUESTIONS

Q1. Consider the following statements in the context of global warming and changing climate change.

1. The International Solar Alliance is a treaty-based international intergovernmental organization of solar energy-rich countries.
2. Its headquarters is in Gurugram (Haryana).
3. The first meeting of the International Solar Alliance was organized in New Delhi.
4. The Paris Agreement is an international agreement to combat climate change.

Which of the above statement/statements is true?

- (a) 1, 2 and 3 only.
- (b) Only 2, 3 and 4.
- (c) None of these.
- (d) all of which.

ANSWERS

S. No.	Answers
1.	D

MAINS QUESTIONS

Q.1. Review the steps taken by India while discussing the impacts and solutions to climate change in