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SECTION 295 (A) OF THE INDIAN PENAL CODE

Context :

- Recently Mohammad Zubair of Alt News was arrested for tweeting a still picture from a movie that had some religious context attached to it.

Section 295 (A)

- In our country still there is no formal law against blasphemy. The closest equivalent to a blasphemy law is Section 295(A) of the Indian Penal Code (IPC), which punishes any speech, writings, or signs that “with premeditated and malicious intent” insult citizens’ religion or religious beliefs with a fine and imprisonment for up to three years.

Historical Background :

- The history of Section 295(A) of the IPC can be traced back to 95 years. In 1927, a satire was published which had obscene parallels to the Prophet’s personal life. It was indeed very offensive to the Muslim community but the erstwhile High Court of Lahore observed that the author of this cannot be prosecuted as the writing did not cause animosity or hostility between any communities.
- Thus, the offense did not fall under Section 153(A), which dealt with maintaining public tranquility/order. However, this incident gave rise to a demand that there be a law to protect the sanctity of religions, and thus, Section 295(A) was introduced.

Legality of the section

- The legality of Section 295(A), which had been challenged in the **Ramji Lal Modi case (1957)**, was affirmed by a five-judge Bench of the Supreme Court. The apex court reasoned that while Article 19(2) allows reasonable limits on freedom of speech and expression for the sake of public order, the punishment under Section 295(A) deals with aggravated form of blasphemy which is committed with the malicious aim of offending the religious sensibilities of any class.
- In the case of Superintendent, **Central Prison, Fatehgarh vs Ram Manohar Lohia** the Supreme Court stated that the link between the speech spoken and any public disorder caused as a result of it should have a close relationship for retrieving Section 295(A) of IPC.
- By 2011, it concluded that only speech that amounts to “incitement to impending unlawful action” can be punished. That is, the state must meet a very high bar before using public disturbance as a justification for suppressing expression.

Should there be a difference between blasphemy laws and hate speech laws

- The wording of Section 295(A) is considerably too wide. It cannot be stated that deliberate disrespect to religion or religious sensibilities is necessarily tantamount to incitement. The Supreme Court has said on several occasions that perhaps the goal of hate speech statutes in Section 295(A) is to prevent prejudice and ensure equality. Unfortunately, there is a huge disparity between this interpretation and the actual wording due to which the law is still being exploited at all levels of administration.
- Insulting religion or religious figures may be disputed or condemned but it should not be legally outlawed or prosecuted. The reason for this is because hate speech laws are predicated on the critical distinction between criticising or ridiculing religion and encouraging prejudice or aggression towards individuals or a community because of their faith.

Rising hate speech cases :

- According to the National Crime Records Bureau(NCRB), there has been a huge increase in cases registered promoting hate speech and fostering animosity in society.

- There were only 323 cases registered in 2014, it had increased to 1,804 cases in 2020.
- However, this can also be due to the steep turns in the dynamics of our current society. Section 295(A) is now usually used to penalise religious dissent, satire, and any comedic content with religious references.
- Bogus cases of 295(A) have been launched on certain web series like Tandav, which reportedly offended religious emotions. According to the filed FIR, the series purportedly presents Hindu gods in a demeaning manner.
- There have also been incidents where citizens performing stand-up comedy have been arrested only because they had religious references in their script.
- The inadequacies of the rules of free speech are further exemplified in the previously mentioned cases of Mohammad Zubair and Nupur Sharma.

Failing to articulate these distinctions diminishes fair use of the Section and makes it more difficult to define and penalise the actual crime of hate speech.

Way to Deal with incidents of blasphemy

- Blasphemy laws which prohibit religious criticism in general are incompatible with the principles of a democratic society. In a free and democratic society, there should be no screening of discourse and dissent.
- The only feasible solution that stands on the thin line of protection of faith and questioning hate speech should be keeping blasphemy in the statutes but de-criminalising it.

TECHNOLOGIES THAT POWERING HYBRID ELECTRIC VEHICLES

Context :

- Recently the automakers like Maruti Suzuki, Toyota and Honda have launched hybrid electric vehicles in India, offering car buyers more choices in the nascent electric vehicle market.
- These new hybrid electric vehicles from different automakers, are relying on hybrid technology and its advantages over conventional internal combustion engine (ICE)-powered vehicles to change car buyers' minds.

About hybrid electric vehicle

- A hybrid electric vehicle (HEV) uses an ICE (a petrol/diesel engine) and one or more electric motors to run.
- It is powered by the electric motor alone, which uses energy stored in batteries, by the ICE, or both. The powertrain of the HEV is more complex than a regular ICE-powered car as it has EV components and a conventional ICE.
- That means a typical HEV will have a low-voltage auxiliary battery, a traction battery pack to store electricity for the electric motor, an electric generator, an AC/DC converter, a power electronics controller, a thermal system to maintain working temperature, an ICE, a fuel tank, a fuel filler, a transmission and an exhaust system.

How do HEV powertrains work?

- HEV powertrains are designed to power cars in a series, parallel or series-parallel (power split) methods.
- A series HEV uses only the electric motor to drive the wheels, while the ICE powers the generator, which in turn recharges the battery.
- A parallel HEV, based on the driving condition, uses the best power source to power the vehicle. It will alternate between the electric motor and the ICE to keep the car moving.

- A series-parallel HEV offers a combination of both models and allows to split power, wherein power is routed from the ICE alone or from the battery to the electric motor to drive the vehicle.
- Moreover, in all three designs, the battery is charged through **regenerative braking technology**.

Regenerative braking system :

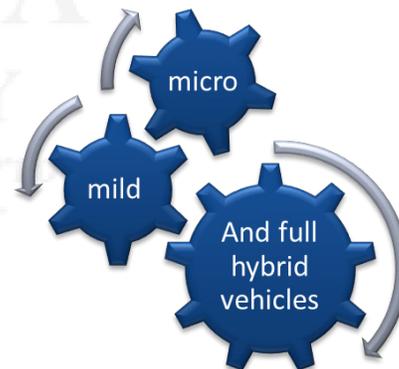
- A regenerative braking system (RBS) used in automotive applications has several advantages like better braking efficiency in stop-and-go traffic which enhances fuel economy and also helps in reducing carbon emissions. Besides, RBS also helps in energy optimisation resulting in minimum energy wastage.
- Based on the type of RBS, the energy recovery happens in multiple ways. A kinetic system can recover the energy lost during braking and then use this energy to recharge the high-voltage battery of the vehicle. An electric system generates electricity through a motor during sudden braking. Lastly, a hydraulic system uses pressurised tanks to store the vehicle’s kinetic energy and can offer a high energy recovery rate which is ideal for heavy vehicles.
- The efficiency of HEVs and EVs will in large part be determined by their ability to recover as much energy as possible while braking, with a higher degree of energy recovery lowering fuel consumption. The amount of recoverable energy depends upon factors like vehicle speed and stopping pattern. The adoption of regenerative braking technology in the auto industry is increasing on account of the operating efficiency of vehicles through reduced fuel consumption and the extended range of batteries.

Types of HEVs

Based on the degree of hybridization the HEVs can be categorised into :

The hybrid variants of the Maruti Suzuki’s Grand Vitara and the Toyota’s Urban Cruiser Hyryder can be classified as full and mild hybrids.

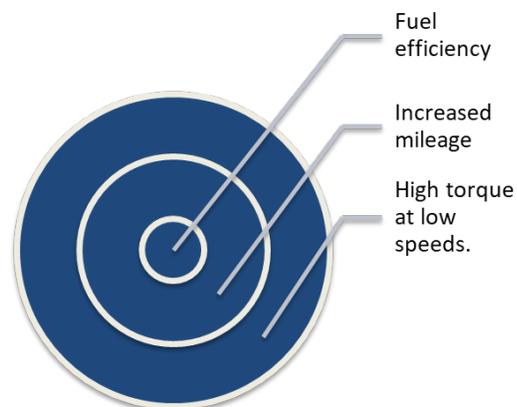
- A full HEV will have a larger battery and a more powerful electric motor compared with a mild HEV. As a result, a full HEV can power the vehicle for longer distances using just electric mode, whereas a mild HEV cannot drive using only the electric motor and uses the battery at traffic lights or in stop-and-go traffic to support the ICE. Micro hybrids do not offer electric torque assistance as they lack an electric motor, but they have an idle stop-start system and energy management functions. Full HEVs offer better fuel economy compared with the other two types of HEVs but they also cost more than them.



- Then there are plug-in hybrid electric vehicles (PHEVs) that are just like full HEVs, but they can be charged using a wall outlet, as they have an onboard charger and a charging port. PHEVs generally use the electric motor until the battery is almost drained, and then automatically switch to the ICE. PHEVs accounted for about 23% of 1.95 million global EV shipments in the first quarter of 2022, as per market research firm Counterpoint.

Advantages of using hybrid technology

- Fuel efficiency is a major factor for most people considering buying a car. Most vehicles with hybrid technology offer better fuel efficiency, more power, and minimum emissions.
- The design of hybrid vehicles for reduced engine size and car weight as compared to ICE vehicles, translates into increased mileage to favour the demand for these vehicles.
- Moreover, with the increase in total power and torque, HEVs can deliver instant torque and provide high torque even at low speeds.



Challenges of hybrid technology

- In a price-sensitive market like India, one of the major challenges for HEVs is the high vehicle cost.
- Battery, a vital component of an HEV, increases the cost of the vehicle, making it pricier than vehicles powered only by an ICE.
- The RBS also adds to the higher cost of an HEV.

About FAME India scheme:

FAME-India Scheme is implementing by Department of Heavy Industry in order to promote manufacturing of electric and hybrid vehicle technology and to ensure sustainable growth of the same.

- FAME India is a part of the National Electric Mobility Mission Plan.
- Main thrust of FAME is to encourage electric vehicles by providing subsidies.
- (FAME-India) Scheme proposes to give a push to electric vehicles (EVs) in public transport and seeks to encourage adoption of EVs by way of market creation and demand aggregation.

FAME-India Scheme Phase-I:

- Under Phase-I of FAME-India Scheme, the Government has supported about 500 charging stations to establish electric vehicle charging stations in the country.
- Out of about 500 charging stations sanctioned under Phase-I of FAME-India Scheme about 230 charging stations have been installed.
- Further, Energy Efficiency Services Limited (EESL) under the Ministry of Power has deployed 65 public charging stations for EVs in the country.

FAME-India Scheme Phase-II:

- FAME 2 scheme aims to boost electric mobility and increase the number of electric vehicles in commercial fleets.
- The government will provide the incentives for electric buses, three-wheelers and four-wheelers to be used for commercial purposes.
- The centre will invest in setting up charging stations, with the active participation of public sector units and private players.
- Projects for charging infrastructure will include those needed to extend electrification for running vehicles such as pantograph charging and flash charging.
- FAME 2 will also encourage interlinking of renewable energy sources with charging infrastructure.

CORPORAL PUNISHMENT

Context :

Recently three private school teachers in Pune have been booked under the Juvenile Justice Act over allegedly thrashing three Class 10 students, and threatening to grade them poorly in internal assessments.

About Corporal punishment :

- Corporal punishment means punishment that is physical in nature. There is no statutory definition of 'corporal punishment' targeting children in the Indian law.

- **RTE provision :**

- The Right of Children to Free and Compulsory Education (RTE) Act, 2009 prohibits 'physical punishment' and 'mental harassment' under Section 17(1) and makes it a punishable offence under Section 17(2).

National Commission for Protection of Child Rights (NCPCR) view regarding corporal punishment :

- According to NCPCR physical punishment is understood as any action that causes pain, hurt/injury and discomfort to a child, however light. Examples include hitting, kicking, scratching, pinching, biting, pulling the hair, boxing ears, smacking, slapping, spanking, hitting with any implement (cane, stick, shoe, chalk, dusters, belt, whip), giving electric shock and so on.
- It includes making children assume an uncomfortable position (standing on bench, standing against the wall in a chair-like position, standing with school bag on head, holding ears through legs, kneeling, forced ingestion of anything, detention in the classroom, library, toilet or any closed space in the school.
- Mental harassment, meanwhile, is understood as any non-physical treatment that is detrimental to the academic and psychological well-being of a child including sarcasm, calling names and scolding using humiliating adjectives, intimidation, using derogatory remarks for the child, ridiculing or belittling a child, shaming the child and more.

National Commission for Protection of Child Rights

- NCPCR is a statutory body set up in March 2007 under the Commissions for Protection of Child Rights (CPCR) Act, 2005.
- It is under the administrative control of the Ministry of Women & Child Development.
- The Commission's mandate is to ensure that all laws, policies, programmes, and administrative mechanisms are in consonance with the child rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.
- It inquires into complaints relating to a child's right to free and compulsory education under the Right to Education Act, 2009.
- It monitors the implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012.

Law against Corporal punishment

- **Section 17 of the Right to Education Act, 2009:**

- It imposes an absolute bar on corporal punishment. It prohibits physical punishment and mental harassment to children and prescribes disciplinary action to be taken against the guilty person in accordance with the service rules applicable to such person.

- **Section 75 of the Juvenile Justice Act :**

- It prescribes punishment for cruelty to children. Whenever a child is assaulted, abused, exposed or neglected in a manner to cause physical or mental suffering by any person employed by or managing an organisation, which is entrusted with the care and protection of the child, the punishment would be rigorous imprisonment upto five years and fine up to Rs 5 lakh.
- If the child is physically incapacitated or develops a mental illness or is rendered mentally unfit to perform regular tasks or has risk to life or limb, then imprisonment may extend upto ten years.

- **Section 23 of the JJ Act :**

- It states that whoever, having the actual charge of, or control over, a juvenile or the child, assaults, abandons, exposes or wilfully neglects the juvenile or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months, or fine, or with both."

- While Section 23 is likely to be applied most often to personnel in childcare institutions regulated by the JJ Act, it arguably applies to cruelty by anyone in a position of authority over a child, which would include parents, guardians, teachers and employers.
 - Meanwhile, the RTE Act does not preclude the application of other legislation that relates to the violations of the rights of the child, for example, booking the offenses under the IPC and the SC and ST Prevention of Atrocities Act of 1989.

● **Indian Penal Code (IPC) :**

- Several provisions of the Indian Penal Code (IPC) relating to varying degrees of physical harm and intimidation can be used to prosecute perpetrators of corporal punishment against children in an institutional setting, depending on the situation and extent of the crime/act, including Section 305 pertaining to abetment of suicide committed by a child, Section 323 pertaining to voluntarily causing hurt or Section 325 which is about voluntarily causing grievous hurt, and so on.

Juvenile Justice Act 2015 :

- The Act defines orphaned, surrendered and abandoned children.
- It also gives definitions for petty, serious and heinous crimes by children.
 - A heinous offence is one that attracts a maximum punishment of 7 years' imprisonment under any existing law.
 - A serious offence is one that attracts imprisonment of 3 to 7 years.
 - A petty offence is one that attracts a maximum of 3 years' imprisonment.
- An important provision of the amended Act is that it provides for minors in the age group 16 – 18 years to be treated as adults in the case of heinous crimes.
- The Act distinguishes between children in conflict with the law and children in need of care and protection.

NCPCR guidelines about eliminating corporal punishment :

- The NCPCR guidelines for eliminating corporal punishment against children require every school to develop a mechanism and frame clear cut protocols to address grievances of students.
- Drop boxes are to be placed where the aggrieved person may drop his complaint and anonymity is to be maintained to protect privacy.
- Every school has to constitute a 'Corporal Punishment Monitoring Cell' consisting of two teachers, two parents, one doctor, one lawyer (nominated by DLSA), counsellor, an independent child rights activist of that area and two senior students from that school. This CPMC shall look into complaints of corporal punishments.

In theory, corporal punishment is covered by all the provisions under Indian law that punish perpetrators of physical harm. While these provisions make no distinction between adults and children, in practice, corporal punishment in schools and other institutions tends not to be prosecuted because it is still accepted socially at several places.

RAZAKARS, ACCUSED OF HORRIFIC CRIMES DURING THE 1971 BANGLADESH LIBERATION WAR

Context :

- Recently Six members of 'Razakar Bahini', a locally recruited paramilitary force that collaborated with the Pakistan army during the 1971 Bangladesh Liberation War, were sentenced to death for 'crimes against humanity' by Bangladesh's International Crimes Tribunal.

- The three-member tribunal headed by Justice Mohammad Shahinur Islam found them guilty of 'crimes against humanity,' including mass killings, torture and arson.

International Crimes Tribunal (Bangladesh) :

- The International Crimes Tribunal (Bangladesh) is a domestic war crimes tribunal in Bangladesh set up in 2009 to investigate and prosecute suspects for the genocide committed in 1971 by the Pakistan Army and their local collaborators, Razakars, Al-Badr and Al-Shams during the Bangladesh Liberation War.



About Razakars

- Razakar literally means 'volunteer' or 'helper' in Persian and Urdu, but has come to mean 'collaborator' and is associated with betrayal in Bangladesh. According to the anthropologist Nayanika Mookherjee, it is used as an abuse.
- Razakars mostly consisted of Urdu-speaking Bihari Muslims and religious parties that opposed the separation of East and West Pakistan, like Jamaat-e-Islami, Al Badr and Al Shams. Ethnic Bihars who had moved to Bangladesh after the partition in 1947 were in particular denounced as foreigners and collaborators by other locals.

- The Razakars were an auxiliary force of the Pakistan army during the 1971 Bangladesh War. Composed of mostly pro-Pakistani Bengalis and Biharis from Bangladesh (formerly East Pakistan), the approximate 50,000 Razakars assisted the army in raids against the local population and were accused of committing horrific atrocities.
- The nationalist struggle in Bangladesh was brutally suppressed by the Pakistani army and the allied Razakars, with a death toll being pegged at anywhere from 300,000 to 3 million civilians, rape of 100,000 to 400,000 women and 25,000 to 195,000 forced pregnancies.

Fate after the Liberation War

- After Bangladesh achieved independence in December 1971, the newly formed government very quickly banned organisations that collaborated with Pakistani state forces, such as the Jamaat-e-Islami, and many of its influential leaders escaped to Pakistan.
- The Bangladesh Collaborators (Special Tribunals) Order was passed in 1972 and in the following year, the Sheikh Mujibur Rahman's government introduced the International Crimes (Tribunal) Act in 1973, to investigate and prosecute those that committed atrocities during the war.
- Approx 37,000 collaborators were identified, but around 26,000 were granted general amnesty in November 1973 by the government, while the remaining were sentenced to different terms of punishment or remained on trial.

Road to justice

- In March 2010, the government headed by Prime Minister Sheikh Hasina established Bangladesh's three-member International Crimes Tribunal to investigate and administer justice to those suspected of being involved in torture and killings during the country's struggle for independence. The ruling Awami League had pledged to prosecute war criminals of 1971 and had won a landslide victory in the 2008 general election.
- Abul Kalam Azad (also known as Bachchu Razakar), a former leader of the Jamaat-e-Islami was the first person to be convicted by the tribunal in 2013. Witness testimonies accused him of being a Razakar and he was found guilty on 8 charges of murder, rape, arson and looting, mostly towards Bangladesh's Hindu community. Since he had fled the country in 2012, he was sentenced to death in absentia.
- On December 15, 2019, the day before the 49th Victory Day in Bangladesh (a national holiday celebrating the surrender of the Pakistani Army in Dhaka), the government published a list of 10,789 Razakars who had collaborated with the Pakistani army in committing atrocities against Bengalis during the war. This was the first time that Bangladesh's government made such a list public, and it included names of 127 politicians and influential people.

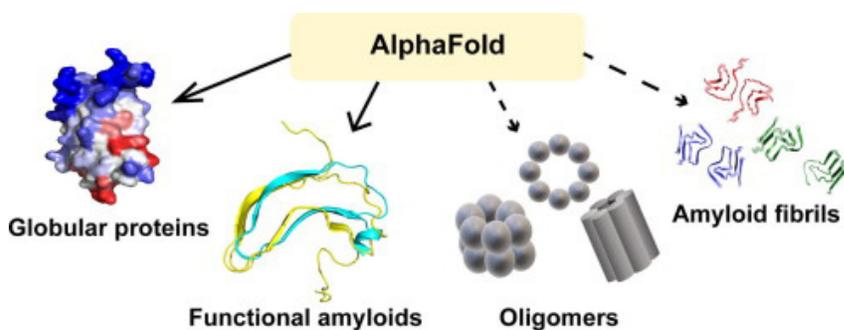
ALPHAFOLD AND PROTEIN

Context :

- Recently a London based company DeepMind announced that it had predicted the three-dimensional structures of more than 200 million proteins using AlphaFold.

About Alpha fold :

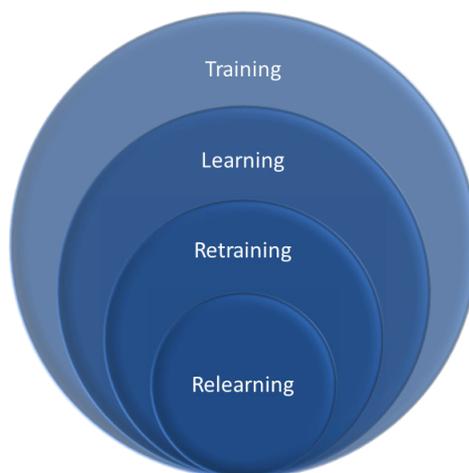
- AlphaFold is an AI-based protein structure prediction tool. It is based on a computer system called deep neural network.
 - Inspired by the human brain, neural networks use a large amount of input data and provides the desired output exactly like how a human brain would.



- The real work is done by the black box between the input and the output layers, called the hidden networks.
- AlphaFold is fed with protein sequences as input. When protein sequences enter through one end, the predicted three-dimensional structures come out through the other.

Procedure of work :

- It uses processes based on :
 - The first step uses the available structures of 1,70,000 proteins in the Protein Data Bank (PDB) to train the computer model.
 - Then, it uses the results of that training to learn the structural predictions of proteins not in the PDB.
 - Once that is done, it uses the high-accuracy predictions from the first step to retrain and relearn to gain higher accuracy of the earlier predictions.
 - By using this method, AlphaFold has now predicted the structures of the entire 214 million unique protein sequences deposited in the Universal Protein Resource (UniProt) database.



Implications of this development

- Knowing protein structure and function is essential to **understand human diseases**.
- Proteins are generally structured using **x-ray crystallography, nuclear magnetic resonance spectroscopy, or cryogenic electron microscopy**.
- These techniques are not just time-consuming, **they often take years** and are based mainly on **trial-and-error methods**.
- AlphaFold makes the process of **protein structuring easier**.
- It is a watershed movement in science and **structural biology** in particular.
- AlphaFold has already helped hundreds of scientists accelerate their discoveries in **vaccine and drug development** since the first public release of the database nearly a year back.

Significance of this development for India

- India needs to quickly take advantage of the AlphaFold database and learn how to use the structures to design better vaccines and drugs.
- Understanding the accurate structures of Covid-19 virus proteins in days rather than years will accelerate vaccine and drug development against the virus.
- India should also speed up implementation of public-private partnerships in the sciences.
- It should facilitate joint collaborations with the prevalent hardware muscle and data science talent in the private sector and specialists in academic institutions to pave the way for data science innovations.

