



CHANAKYA
IAS ACADEMY
Nurturing Leaders of Tomorrow
SINCE-1993

EXAM Asset

CHANAKYA WEEKLY BOOSTER

Current affairs &
Newspaper Analysis



Sources : The Hindu, Indian Express, Economics times, PIB, PRS, RSTV, LSTV, AIR, Yojana, Kurukshetra, Down to Earth etc.

Chanakya Weekly Current Affairs & Newspaper Analysis
Web: www.chanakyaiasacademy.com, Email: enquiry@chanakyaiasacademy.com
Toll Free No. 1800 - 274 - 5005

KANGAROO COURTS AND MEDIA

Context

Recently, **Chief Justice of India N.V. Ramana** said that the media is running "kangaroo courts" in India.

Kangaroo Court

- The phrase "Kangaroo Court" is used **against a judicial system** where the judgement against the accused is usually **predetermined**.
 - Moreover, the system does not work on the standards of law or justice.
 - In Kangaroo Court, the procedure is **only conducted as a formality**.
 - Kangaroo Courts are known for **working against** the phrase "**innocent until proven guilty**".
 - The court **does not allow** to appeal against its judgement.
 - The Kangaroo Courts were common during the **Stalin era** in the **Soviet Union**, famous as the "**Moscow Trails**" of the Soviet Great Purge.
- The Chief Justice of India (CJI) NV Ramana said that the kangaroo courts being run by the media are **detrimental to the health of the country's democracy**.
 - **Ill-informed, biased** and **agenda-driven debates** in the media on issues pending in courts are affecting justice delivery.
 - He said concerted **campaigns against judges**, particularly on social media, and media trials affect judicial functioning.
 - It is not easy to swallow when false narratives are created about the "**easy life**" led by judges.
 - Owing to the frequent transgressions and consequent social unrests, there is a growing demand for stricter media regulations and accountability.
 - The top judge advised the media to "**self-regulate** and measure their words".

Impact of Media trials on justice delivery :

- **Pressure on judges:**
 - Media activism imposes an indirect pressure on the adjudicating authorities to deliver justice to victims who may interfere with the trial proceedings and may cause prejudice to the accused and the chance of proving his innocence.
- **Right to privacy:**
 - They invade their privacy which causes a breach of the Right to Privacy guaranteed under Article 21.
- **Commercialization of news:**
 - But the need to compete for commercialization and more views has transformed the media today into a full-fledged game for viewership. The name of the game is ratings, viewership, eyeballs, and commercials.
- **Sensationalism:**
 - The recent example of prioritisation and extreme coverage of a superstar's son over alleged drug abuse as opposed to covering the death of protesting farmers is one of the many instances where media has shown that it seeks to cover sensational news more than any other.

This means, whatever catches and grasps the attention of the public. Or, in other words, 'sensationalism'.

- **Media trial** : It means "the impact of television and newspaper coverage on a person's reputation by creating a widespread perception of guilt regardless of any verdict in a Court of law.

Media Regulation

- Media in India is mostly self-regulated. The existing bodies for regulation of media such as the Press Council of India which is a statutory body and the News Broadcasting Standards Authority, a self-regulatory organization, issue standards which are more in the nature of guidelines.

- **Print Media:**

- **Press Council of India (PCI):**

- The PCI was established under the **PCI Act of 1978** for the purpose of preserving the freedom of the press and of maintaining and improving the standards of **newspapers and news agencies** in India.

- **Functions:**

- Helping newspapers maintain their independence;
- Build a code of conduct for journalists and news agencies;
- Help maintain "high standards of public taste" and foster responsibility among citizens; and
- Review developments likely to restrict flow of news.

- **Electronic Media:**

- The NBA has devised a Code of Ethics to regulate television content.
- **The News Broadcasting Standards Authority (NBSA)**, of the NBA, is empowered to **warn, admonish, censure, express disapproval and fine** the broadcaster a sum upto Rs. 1 lakh for violation of the Code.

* Another such organization is the **Broadcast Editors' Association**.

* The Advertising Standards Council of India has also drawn up guidelines on content of advertisements.

* These groups govern through **agreements** and **do not have any statutory powers**.

- **Social Media:**

- Certain standards have been prescribed for content accessible over the internet under the IT Rules 2011.
 - Ministry of Electronics and Information Technology has published a fresh draft of amendments to the Information Technology Rules, 2021.
 - Government has also come up with Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021.

However, a regulatory body such as the PCI or the CBFC does not exist. Complaints are addressed to the internet service provider or the host.

Freedom of press :

The freedom of press is a necessary element of the freedom of expression Art 19 (1) (a) that involves a right to receive and impart information without which democracy becomes an empty slogan.

But this right is not absolute and is subjected to the **reasonable restrictions** of defamation and **contempt of court**.

CPEC AND INDIA

Context

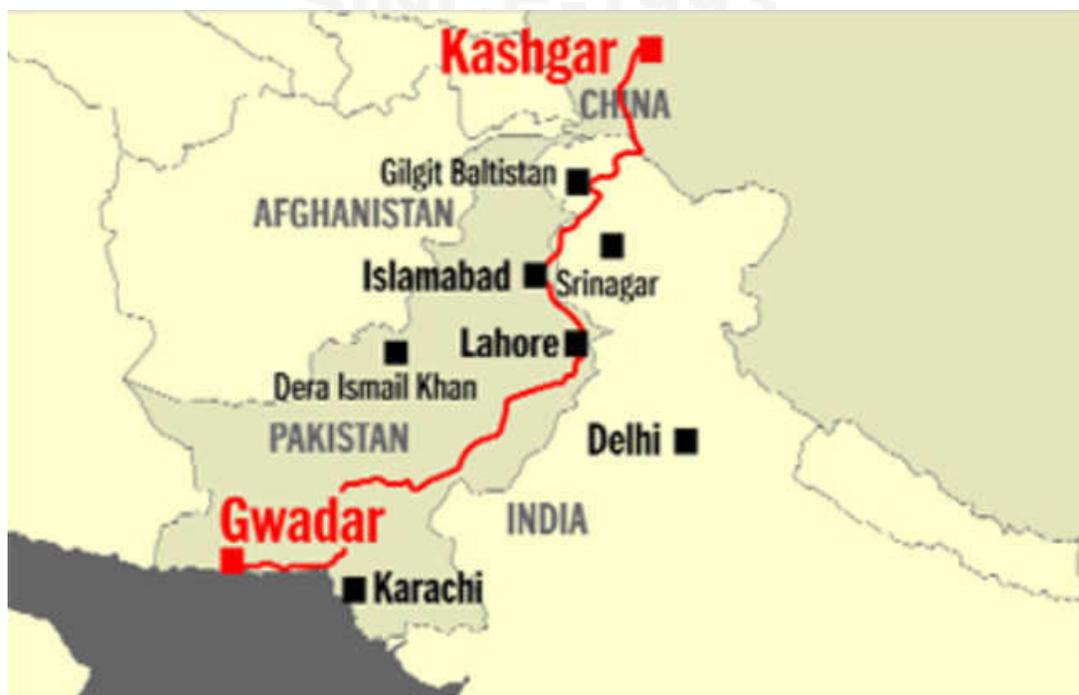
Recently, India slammed the move by Pakistan and China to involve third countries in CPEC projects. India said that efforts to broaden CPEC's scope are "inherently illegal".

India firmly and consistently opposes projects in the so-called CPEC, which are in Indian territory that has been illegally occupied by Pakistan.

The invitation by Pakistan and China to countries comes after reports emerged of the project stalling due to ground-level corruption, resistance by locals in places like Balochistan, and attacks on Chinese engineers and workers by Islamic fundamentalists and terrorists.

About CPEC

- CPEC consists of a number of infrastructure projects that are under construction across Pakistan and is aimed at connecting China overland with the Gulf countries by cutting through the Himalayan range in Gilgit Baltistan and the Pakistan-occupied Kashmir.
- The CPEC is **part of China's larger Belt and Road Initiative**,
- It is a 3,000-km long route of infrastructure projects connecting China's northwest Xinjiang Uygur Autonomous Region and the Gwadar Port in the western province of Balochistan in Pakistan.
- It is a bilateral project between Pakistan and China, intended to promote connectivity across Pakistan with a network of highways, railways, and pipelines accompanied by energy, industrial, and other infrastructure development projects.
- It will pave the way for China to access the Middle East and Africa from Gwadar Port, enabling China to access the Indian Ocean and in return China will support development projects in Pakistan to overcome the latter's energy crises and stabilising its faltering economy.
- Originally valued at **\$47 billion**, the value of CPEC projects **bumped up to \$62 billion** as of 2020.



OBOR : It is a multi-billion-dollar initiative launched in 2013.

- It aims to link Southeast Asia, Central Asia, the Gulf region, Africa and Europe with a network of land and sea routes.
- It has been launched to undertake big infrastructure projects in the world which in turn would also enhance the global influence of China.

Structure:

- They contain the following six economic corridors:
 - The New Eurasian Land Bridge, which connects Western China to Western Russia
 - The China-Mongolia-Russia Corridor, which connects North China to Eastern Russia via Mongolia
 - The China-Central Asia-West Asia Corridor, which connects Western China to Turkey via Central and West Asia
 - The China-Indochina Peninsula Corridor, which connects Southern China to Singapore via Indo-China
 - The China-Pakistan Corridor, which connects South Western China through Pakistan to Arabia Sea routes
 - The Bangladesh-China-India-Myanmar Corridor, which connects Southern China to India via Bangladesh and Myanmar



India's Concern :

- **Violation of Indian Sovereignty:**
 - The project violates the sovereignty of India as it passes through **Pakistan-occupied Kashmir (PoK)**, which is a disputed territory between India and Pakistan.
 - As per **well-established international conventions**, no construction is allowed **in any disputed territory**, without taking the other country into confidence.

- **Exploitation of Natural Resources:**
 - Under CPEC, China plans to build **two mega-dams** on **Indus**, named **Bunji Dam** and **Bhasha Dam**.
 - This will put a heavy strain on the **Indus Water Basin**.
- **Security Concerns for India:**
 - **Increase in China's Activities in IOR:**
 - With Gwadar being a part of CPEC, India fears an escalation of PLA Navy activities in the Indian Ocean Region (IOR).
- **Threat to Indian Trade and Connectivity:**
 - Majority of Indian tangible imports pass through the Strait of Hormuz.
 - China can easily create impediments to its access to the Middle-east in case of a conflict, jeopardizing India's energy security.
- **Enhanced threat from Pakistan:**
 - With the overhauling of the Karakoram Highway, Pakistan will enjoy an advantage in mobilizing troops as well as heavy military equipment to PoK.
 - At the same time, an increase in financial returns to Pakistan through CPEC may expand its ability to fund military infrastructure as well as state-sponsored terrorism in Kashmir, thus destabilizing the region.

String of Pearls theory :

String of Pearls refers to the Chinese intention to establish a network in India Ocean Region (IOR) surrounding India. Each Pearl represents some form of permanent Chinese military installation in a series of locations along a String. Recent development of ports around India, in Gwadar, Hambantota, Sittwe on the Bay of Bengal Coast in Myanmar etc. are seen as part of a string of pearls.

Steps Ahead :

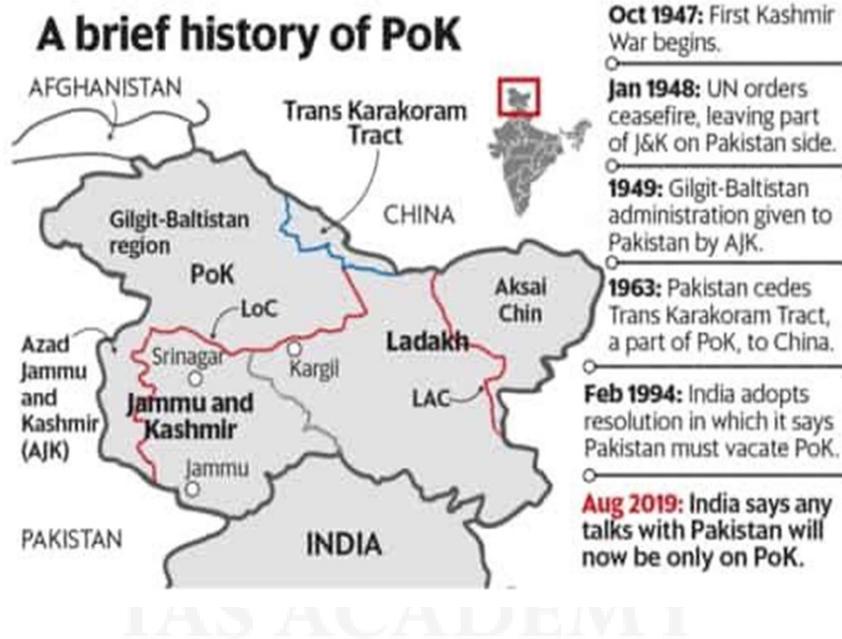
- **Maintain Communication:** Experts have advocated that India maintain communication and cordial relations with its neighbors.
- **Alliance :** Developing countries, especially the countries of Southeast Asia have pinned their hopes on India to counter China's hegemony in the region. Here, India needs to build on alliances like **Quad** to maintain the **balance of power in the Indo-pacific region**.
- **Asia-Africa Growth Corridor :** The Asia-Africa Growth Corridor is an India-Japan economic cooperation agreement, it can provide India great strategic benefits and counter China.

PoK

Pakistan Occupied Kashmir is that part of the Jammu and Kashmir (India) which was invaded by the Pakistan in 1947. The POK is administratively divided into two parts, which are called Jammu and Kashmir and Gilgit-Baltistan in official languages. 'Azad Jammu and Kashmir' in Pakistan is also called Azad Kashmir. The chief of Pakistan-occupied Kashmir is the President while the Prime Minister is the Chief Executive Officer supported by a Council of Ministers. Pakistan Occupied Kashmir (POK) claims its self-governing assembly, but the fact is that it works under the control of Pakistan

Gilgit Baltistan location:

Located in the northern Pakistan. It borders China in the North, Afghanistan in the west, Tajikistan in the north west and Kashmir in the south east. It shares a geographical boundary with Pakistan-occupied Kashmir, and India considers it as part of the undivided Jammu and Kashmir, while Pakistan sees it as a separate from PoK. It has a regional Assembly and an elected Chief Minister. The USD 46 billion China-Pakistan Economic Corridor (CPEC) also passes through this region.



ENERGY CONSERVATION (AMENDMENT) BILL 2022 AND INDIA'S CLIMATE TARGETS

- Recently the central government plans to introduce **Energy conservation Bill** in the ongoing monsoon session, to increase India's demand for renewable energy, thereby reducing the nation's carbon emissions.

Current Energy Conservation Act :

- The Energy Conservation Act, 2001 (amended in 2010) empowers the Centre to specify norms and standards of energy efficiency for appliances, industrial equipment and buildings with a connected load over 100 kilo Watts (kW) or a contractual demand of more than 15 kilovolt-amperes (kVA).
- According to the Act, the Centre can issue energy savings certificates to those industries which consume less than their maximum allotted energy. However, this certificate can be sold to customers who consume higher than their maximum allowed energy threshold – providing for a framework for energy trading.
- The Act allows the Centre to prohibit the manufacture, sale, purchase or import of any particular equipment unless it conforms to specified norms issued six months/ one year before.
- In case of any violations under this Act, each offence shall attract a penalty of Rs ten lakh with an additional penalty of Rs 10,000 for each day the offence continues.
- Consumers who utilize excess energy will be penalized according to their excess consumption. Any appeals against any such order passed by the Central or state government will be heard by the appellate tribunal already established under the Electricity Act, 2003.

Bureau of Energy Efficiency

- The Government of India set up Bureau of Energy Efficiency (BEE). on 1st March 2002 under the provisions of the Energy Conservation Act, 2001.
- The aim Bureau of Energy Efficiency is to assist in developing policies and strategies with a thrust on self-regulation and market principles, within the overall framework of the Energy Conservation Act, 2001 with the primary objective of reducing energy intensity of the Indian economy.
- BEE coordinates with designated consumers, designated agencies and other organizations and recognize, identify and utilize the existing resources and infrastructure, in performing the functions assigned to it under the Energy Conservation Act.

Proposed changes

- The following are the proposed changes :
- Defining the minimum share of renewable energy to be consumed by industrial units or any establishment. This consumption may be done directly from a renewable energy source or indirectly via the power grid.
- Incentivising efforts to use clean energy by issuing carbon saving certificates
- Strengthening institutions set up originally under the Act, such as the Bureau of Energy Efficiency
- Facilitating the promotion of green Hydrogen as an alternative to the fossil fuels used by industries
- Considering additional incentives like carbon credits for the use of clean energy to lure the private sector to climate action.
- Including larger residential buildings under energy conservation standards to promote sustainable habitats. Currently, only large industries and their buildings come under the ambit of the Act.

The main objective of these proposed amendments is to reduce India's power consumption via fossil fuels and thereby minimize the nation's carbon footprint.

The Centre aims to develop India's Carbon market and boost the adoption of clean technology. India aims to meet its Nationally Determined Contributions (NDCs), as mentioned in the Paris Climate Agreement, before its 2030 target date.

India's climate change commitments:

- India has committed to reducing the carbon intensity of its economy by 33-35 per cent by 2030 from its 2005 levels as part of its **NDCs** under the Paris Climate Agreement.
- The nation has also promised to achieve over 40 per cent of its power generation from non-fossil-fuel energy resources by 2030.
- In a bid to reduce its CO2 emissions to 550 metric tonnes (Mt) by 2030, India has committed to creating an additional carbon sink for 2.5 -3 billion tonnes of CO2 by increasing its tree and forest cover.

Revised NDCs target at COP 26 :

- To increase its non-fossil energy capacity to 500 GW by 2030
- To meet 50 per cent of India's power demand via renewable energy sources
- To reduce the carbon intensity of the Indian economy by 45 per cent
- To reduce India's total projected carbon emissions by one billion tonnes from 2021 to 2030
- To achieve a target net zero (for carbon emissions) by 2070

Provisions for climate action in the 2022-23 Budget

- Allocation of Rs 19,500 crores to facilitate domestic solar manufacturing
- Use of 5-7 per cent biomass pellets for co-firing in thermal power plants
- Avoid stubble burning in agricultural fields
To promote blending of fuel, an additional differential excise duty of Rs 2/litre to be levied on unblended fuel.
- To achieve clean transport, a new battery swapping policy to be formulated for electric vehicles
- Issue 'Green Bonds' — fixed-income financial methods to fund projects with positive environmental effects — to raise capital for green infrastructure. Such sovereign green bonds can be used in climate adaptation projects which lack private funding.

Paris Climate Agreement :

- It was adopted by 196 countries at Conference of the Parties COP 21 in Paris in December 2015.
- It is a legally binding international treaty on climate change.
- It aims to limit global warming to well below 2° Celsius, and preferably limit it to 1.5° Celsius, compared to pre-industrial levels.
- The main objective is to achieve the long-term temperature goal, countries aim to reach global peaking of greenhouse gas emissions as soon as possible to achieve a climate-neutral world by mid-century.

SUPREME COURT VERDICT ON THE MONEY

LAUNDERING ACT

Recently A three-judge bench of the Supreme Court, headed by Justice AM Khanwilkar upheld the constitutional validity of the Prevention of Money Laundering Act, 2002.

View of apex court on Bringing ED operations under CrPC purview

- The Enforcement Directorate under the **PMLA Act is not considered "police"** and hence does not follow provisions of the CrPC for search, seizure, arrest, attachment of properties.
- The petitioners, arguing that the ED effectively exercises police powers, challenged the constitutionality of provisions that deal with arrest and seizure etc. This is significant because since the ED is not a police agency, statements made by an accused to ED officials is admissible in court. A statement made before a police officer during investigation is inadmissible.
- The Supreme Court rejected the argument that the ED should be obligated to follow the CrPC while conducting investigations.

Money laundering :

It is the process of making large amounts of money generated by criminal activity, such as drug trafficking or terrorist funding, appear to have come from a legitimate source.

- The money generated is called '**dirty money**' and money laundering is the process of conversion of 'dirty money', to make it appear as 'legitimate' money.

On bail and 2018 amendments

- The PMLA Act stipulates a twin condition for bail where the accused has to make a case that she is prima facie not guilty of the offence and also satisfy the court that they will not commit any further offence.
- In a 2017, ruling Nimesh Tarachand Shah vs Union of India, the Supreme Court struck down this as unconstitutional. However, in a subsequent amendment in 2018, Parliament inserted these provisions again, through the Finance Bill.
- The petitioners had challenged the amendments on two grounds — the passing of these amendments through a Money Bill; and a substantive challenge that these provisions were essentially declared unconstitutional.
- The government had argued that the amendments were in line with the 2017 verdict despite retaining the “twin test” that was struck down.
- The Supreme Court has upheld the amendments, ruling that Parliament is competent to bring in any changes required to comply with the 2017 verdict.

Enforcement Directorate

- It was established in the year 1956 with its Headquarters at New Delhi.
- It is responsible for enforcement of the Foreign Exchange Management Act, 1999 (FEMA) and certain provisions under the Prevention of Money Laundering Act.
- Work relating to investigation and prosecution of cases under the PML has been entrusted to the Enforcement Directorate.
- It is under the administrative control of the Department of Revenue for operational purposes; the policy aspects of the FEMA, its legislation and its amendments are within the purview of the Department of Economic Affairs. Policy issues pertaining to the PML Act, however, are the responsibility of the Department of Revenue.
- Before FEMA became effective (1 June 2000), the Directorate enforced regulations under the Foreign Exchange Regulation Act, 1973.

Money laundering Act :

- The PMLA was enacted in 2002 and it came into force in 2005. The chief objective of this legislation is to fight money laundering, that is, the process of converting black money into white.
- The Act enables government authorities to confiscate property and/or assets earned from illegal sources and through money laundering.
- The PLMA has been amended three times, that is, in 2009, 2009 and 2012.
- Under the PMLA, the burden of proof lies with the accused, who has to prove that the suspect property/assets have not been obtained through proceeds of crime.

Offences under PLMA

- Part A includes offences under acts namely: Indian Penal Code, Prevention of Corruption Act, Narcotics Drugs and Psychotropic Substances Act, Antiquities and Art Treasures Act, Trademark Act, Wildlife Protection Act, Copyright Act and Information Technology Act.
- Part B includes offences that are mentioned in Part A, but are of a value of Rs 1 crore or more.
- Part C includes trans-border crimes.

SUSPENSION OF MPS

Recently Nineteen Members of Parliament (MPs) were suspended from attending Rajya Sabha session for the remainder of the week for disrupting the House proceedings and demanding a discussion on price rise and a rollback of the Goods and Services Tax (GST) on daily essentials.

Rules under which the Presiding Officer can suspend MPs

In Lok Sabha

- **Rule 373:** The Speaker, if he/she is of the opinion that the conduct of any Member is grossly disorderly, may direct such Member to withdraw immediately from the House, and any Member so ordered to withdraw shall do so forthwith and shall remain absent during the remainder of the day's sitting.
- **Rule 374:**
 - The Speaker may, if deems it necessary, name a Member who disregards the authority of the Chair or abuses the rules of the House by persistently and willfully obstructing the business thereof.
 - If a Member is so named by the Speaker, the Speaker shall, on a motion being made forthwith put the question that the Member (naming such Member) be suspended from the service of the House for a period not exceeding the remainder of the session: Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.
 - A member suspended under this rule shall forthwith withdraw from the precincts of the House.
- **Rule 374A:**
 - Notwithstanding anything contained in rules 373 and 374, in the event of grave disorder occasioned by a Member coming into the well of the House or abusing the Rules of the House persistently and willfully obstructing its business by shouting slogans or otherwise, such Member shall, on being named by the Speaker, **stand automatically suspended from the service of the House for five consecutive sittings or the remainder of the session, whichever is less:** Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.
 - On the Speaker announcing the suspension under this rule, the Member shall forthwith withdraw from the precincts of the House.
- **In Rajya Sabha:**
 - **Rule 255:** Like the Speaker in Lok Sabha, the Chairman of Rajya Sabha is empowered under this Rule of its Rule Book to "direct any Member whose conduct is in his opinion grossly disorderly to withdraw immediately" from the House.
 - **Under Rule 256,** the Chairman may "name a Member who disregards the authority of the Chair or abuses the rules of the Council by persistently and wilfully obstructing" business. In such a situation, the House may adopt a motion suspending the Member from the service of the House for a period not exceeding the remainder of the session.
 - The House may, by another motion, terminate the suspension.

Terms of suspension

- The maximum period of suspension is for the remainder of the session.
- Suspended members cannot enter the chamber or attend the meetings of the committees.
- He will not be eligible to give notice for discussion or submission.
- He loses the right to get a reply to his questions.

10th Schedule : Anti-Defection Law(52nd C.A.A)

The Tenth Schedule includes the following provisions with regard to the disqualification of MPs and MLAs on the grounds of defection:

Grounds for disqualification:

- If an elected member gives up his membership of a political party voluntarily.
- If he votes or abstains from voting in the House, contrary to any direction issued by his political party.
- If any member who is independently elected joins any party.
- If any nominated member joins any political party after the end of 6 months.
- The decision on disqualification questions on the ground of defection is referred to the Speaker or the Chairman of the House, and his/her decision is final.
- All proceedings in relation to disqualification under this Schedule are considered to be proceedings in Parliament or the Legislature of a state as is the case.

Exceptions

- In the situation where two-thirds of the legislators of a political party decide to merge into another party, neither the members who decide to join nor the ones who stay with the original party will face disqualification.
- Any person elected as chairman or speaker can resign from his party, and rejoin the party if he demits that post.
- Earlier, the law allowed parties to be split, but at present, this has been outlawed.

Deciding Authority

- Any question regarding disqualification arising out of defection is to be decided by the presiding officer of the House.

QUESTION

1. Consider the following statements :

1. The Kangaroo court allow to appeal against its judgement.
2. The Kangaroo Courts were common during the Stalin era in the Soviet Union.

Which of the following is correct ?

- (a) Only 1 (b) Only 2
(c) Both 1& 2 (d) None of the above

2. Consider the following statements regarding CPEC.

1. It is a 3,000-km long route of infrastructure projects connecting China's northwest Xinjiang Uygur Autonomous Region and the Gwadar Port in the western province of Balochistan in Pakistan
2. It is a trilateral project between Pakistan ,China and south Africa.

Which of the following is correct ?

- (a) Only 1 (b) Only 2
(c) Both 1& 2 (d) None of the above

3. Consider the following statements:

1. India has committed to reducing the carbon intensity of its economy by 33-35 per cent by 2030 from its 2005 levels.
2. India has also promised to achieve over 40 per cent of its power generation from non-fossil-fuel energy resources by 2030.

Which of the following is correct ?

- (a) Only 1 (b) Only 2
(c) Both 1& 2 (d) None of the above

4. It is mandated with the task of enforcing the provisions of Foreign Exchange Management Act and Prevention of Money Laundering Act.

1. It is a statutory body.
2. Like CBI, Enforcement directorate can also register a case on its own.

Which of the statements given above is/are correct?

- (a) 1 only (b) 2 and 3 only
(c) 3 only (d) 1 and 3 only

5. Consider the following statements regarding Anti-Defection Law.

1. It is introduced by 52nd constitutional amendment act .
2. Any question regarding disqualification arising out of defection is to be decided by the presiding officer of the House.

Which of the following is correct ?

- (a) Only 1 (b) Only 2
(c) Both 1& 2 (d) None of the above

ANSWER KEY

| | | | | |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| B | A | C | A | C |

** For Explanation read above articles thoroughly.