

Daily News Reader

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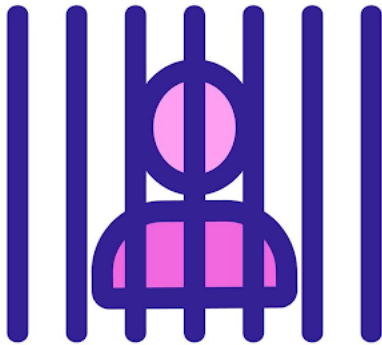
Juvenile Justice

Theme: Polity & Governance

Source: The Hindu

Why in the news?

The National Commission for Protection of Children (NCPCR) has recently issued guidelines for conducting a preliminary assessment by the Juvenile Justice Board (JJB) under Section 15 of the Juvenile Justice Act, 2015 (JJ Act, 2015).



About Juvenile Justice Act, 2015 (JJ Act, 2015):

- It was enacted to repeal and replace the previous Juvenile Justice (Care and Protection of Children) Act, 2000.
- The Act allows for the trial of juveniles aged 16-18 years as adults in cases of heinous crimes.
- The Act includes provisions for adoption, replacing previous adoption laws to create a more accessible adoption process for orphans, surrendered, and abandoned children.
- Central Adoption Resource Authority (CARA)** is designated as the statutory body for adoption-related matters.
- The Act mandates that all Child Care Institutions, whether run by the State Government or by voluntary or non-governmental organisations, must be registered within 6 months of the Act's commencement.
- NCPCR is under a statutory obligation under Section 109 of the JJ Act, 2015 to monitor the proper implementation of the provisions of the Act.

How are offences committed by children categorized under the JJ Act?

- Offences committed by children are categorized into three categories:
 - Petty offences
 - Serious offences
 - Heinous offences
- In cases of heinous offenses, where a child is alleged to have committed an offense and is above the age of 16 years, a preliminary assessment is conducted to determine whether the child should be tried as an adult. **(Section 15 of JJ Act)**
- If the Board passes an order after preliminary assessment under section 15 that there is a need for trial of the said child as an adult, then the Juvenile Justice Board (JJB) may order the transfer of the case to the Children's Court having jurisdiction to try such offences. **(Section 18(3))**

What are the responsibilities of the JJB?

- The Juvenile Justice Board was introduced by the Juvenile

Justice (Care and Protection of Children) Act, 2015.

- It has the powers of a criminal court under the Code of Criminal Procedure.
- The Board comprises psychologists and sociologists who assess whether offenders aged 16-18 should be tried as adults or not.
- The members are appointed by a selection committee headed by a retired judge of the High Court.
- The State Government is responsible for providing training to all members of the Board.
- The tenure period of the members is 3 years and can be reappointed for a maximum of two terms.
- The pay and allowances of the Principal Magistrate are governed by the state government.

About Juvenile Justice (Care and Protection) Amendment Act 2021:

- It was passed to amend various provisions of the Juvenile Justice Act, 2015.
- Crimes against children that result in imprisonment of 3 to 7 years will now be considered as "non-cognisable".
- A non-cognisable offence is an offence in which the police officer cannot arrest the convict without a warrant and cannot start an investigation without the authorisation of the court.
- The Act has strengthened the provisions for the protection and adoption of children.
- The power to approve adoptions has been transferred to the district magistrate.

About National Commission for Protection of Children (NCPCR):

- It is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005
- Aim:** To protect the child rights and other related matters in the Country.
- The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.
- It is assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.
- It has the powers of the Civil Court trying a suit under Section 14 of CPCR Act, 2005 and Code of Civil Procedure, 1908.
- Structure:** The Commission comprises a Chairperson and six Members. The members must have a minimum of two women members. The selection of the NCPCR chairman is based on the advice of the three-member selection committee.

Practice Mains Questions:

How does the Juvenile Justice (Care and Protection) Amendment Act, 2021 impact the criminal justice system's handling of crimes against children? (10 marks)

Static Topics to be referred:

JJ Act, NCPCR

50 years of Kesavananda Bharati case

Theme: Polity & Governance

Source: Indian Express

Why in the news?

Fifty years ago, on April 24, 1973, the Supreme Court delivered its judgment in Kesavananda Bharati Sripadagalvaru and Ors vs State of Kerala and Anr, the landmark case that redefined the relationship between Parliament and the Constitution.



About Keshwananda Bharati Case:

- Kesavananda Bharati case is about Parliament's power to amend the Constitution
- In Golaknath case, Supreme Court ruled that Parliament can't amend fundamental rights, but Parliament amended the Constitution to give itself that power
- In Kesavananda case, court held that certain parts of Constitution can't be amended, including fundamental rights and the "basic structure"
- Court ruled that the right to property impacted by land ceiling laws cannot be taken away by amending it
- The court ruled that the amendment would not violate the "basic structure" of the Constitution.

What led to the development of the concept of Basic Structure?

- **Shankari Prasad case, 1951:** Supreme Court had ruled that the Parliament has the power to amend the Constitution, including Fundamental Rights, through a constitutional amendment act.
- **Golak Nath case, 1967:** Supreme Court reversed its earlier stand and ruled that Fundamental Rights are transcendental and immutable and cannot be abridged or taken away by the Parliament through a constitutional amendment act.
- **24th Amendment 1971:** The Parliament reacted to this judgment by enacting the 24th Amendment Act in 1971, which declared that the Parliament has the power to abridge or take away any of the Fundamental Rights under Article 368.
- **Kesavananda Bharati case, 1973:** the Supreme Court upheld the validity of the 24th Amendment Act but also laid down the doctrine of the basic structure of the Constitution. This doctrine means that the constituent power of Parliament under Article 368 does not enable it to alter the basic structure of the Constitution.
- **Indira Gandhi v Raj Narain (1975):** The SC applied the principle laid down in the Kesavananda ruling for the first time in this case. It struck down The Constitution (Thirty-ninth Amendment) Act, 1975, which barred the Supreme Court from hearing a challenge to the election of President, Prime Minister, Vice-President, and Speaker of Lok Sabha.
- **Minerva Mills Ltd vs Union Of India (1980):** Supreme Court

held that the limitations on the amending power of Parliament cannot be destroyed and that Parliament cannot acquire an absolute power to repeal or abrogate the Constitution or destroy its basic features.

- **Waman Rao case 1981:** The doctrine of the basic structure would apply to constitutional amendments enacted after April 24, 1973, the date of the judgment in the Kesavananda Bharati case.

What is the Doctrine of Basic Structure?

- It was on April 24, 1973, that the Supreme Court first propounded the doctrine of 'basic structure' or 'basic features' of the constitution in its landmark verdict in the Kesavananda Bharati Case.
- Parliament under Article 368 can amend any part of the Constitution including the Fundamental Rights but without affecting the 'basic structure' of the Constitution
- It is the only limitation on the authority of Parliament to curtail or abolish the fundamental right.

What constitutes the Basic Structure?

- From the various judgements, the following have emerged as 'basic features' of the Constitution or elements / components / ingredients of the 'basic structure' of the constitution:
 1. Supremacy of the Constitution
 2. Sovereign, democratic and republican nature of the Indian polity
 3. Secular character of the Constitution
 4. Separation of powers between the legislature, the executive and the judiciary
 5. Federal character of the Constitution
 6. Unity and integrity of the nation
 7. Welfare state (socio-economic justice)
 8. Judicial review
 9. Freedom and dignity of the individual
 10. Parliamentary system
 11. Rule of law
 12. Harmony and balance between Fundamental Rights and Directive Principles
 13. Principle of equality
 14. Free and fair elections
 15. Independence of Judiciary
 16. Limited power of Parliament to amend the Constitution
 17. Effective access to justice
 18. Principles (or essence) underlying fundamental rights.
 19. Powers of the Supreme Court under Articles 32, 136, 141 and 142
 20. Powers of the High Courts under Articles 226 and 227
- However, the Supreme Court is yet to define or clarify as to what constitutes the 'basic structure' of the Constitution.

Practice Mains Questions:

Discuss the concept of 'Basic Structure' in the Indian Constitution and its significance in preserving the fundamental principles of the Constitution. Analyze the evolution of the doctrine through landmark judicial pronouncements and its impact on the constitutional framework of India.

Static Topics to be referred:

Basic Structure, Supreme Court Judgements, Fundamental Rights

Prelims Facts

UN Climate Report

Source: Indian Express

Why in the news?

The report, published by the UN's World Meteorological Organization (WMO), said the years between 2015-2022 were the warmest on record.



Key Findings of the UN Climate Report:

- The years between 2015-2022 were the warmest on record, and the past eight years were considered the highest mean temperatures on record.
- The heatwave which struck Europe last summer caused more than 15,000 deaths.
- The La Nina cooling weather phenomenon failed to ease the temperature hikes.
- Greenhouse gas concentrations peaked in 2021.
- Carbon dioxide (CO₂) concentration was at 415.7 parts per million globally, which is 149% of the pre-industrial level. Methane and nitrous oxide also showed a significant increase.
- Oceans were the warmest on record, and 58% of ocean surfaces experienced a marine heatwave.
- Global sea levels rose at an annual average of 4.62 millimeters in the past decade, and the world's glaciers melted at a dramatic speed.
- Saving glaciers was now effectively a lost cause, posing risks to marine ecosystems.

About State of the Global Climate report:

- It is an annual publication from the **World Meteorological Organization (WMO)** that presents the latest findings on the state of climate change worldwide.
- The report combines observations from global networks of weather and climate stations, ocean buoys, and satellites, as well as modeling studies, to provide a comprehensive assessment of the Earth's climate system.
- The most recent report, released ahead of Earth Day 2023, reveals several alarming trends that highlight the urgent need for climate action.

About World Meteorological Organization (WMO):

- It is an intergovernmental organization with 192 Member States and Territories.
- India is one of the members of WMO.
- WMO originated from the International Meteorological Organization (IMO), which was formed after the 1873 Vienna International Meteorological Congress.
- WMO was established by ratification of the WMO Convention

on March 23, 1950, and became the specialized agency of the United Nations for meteorology (weather and climate), operational hydrology, and related geophysical sciences.

- WMO's headquarters is located in Geneva, Switzerland.

PSLV

Source: Indian Express

Why in the news?

Recently, PSLV successfully placed two Singapore satellites into their intended orbits, in its 57th mission.



Why do satellites need launch vehicles?

- Satellites need launch vehicles to overcome the gravitational pull of the earth and be lifted into space.
- Launch vehicles have powerful propulsion systems that generate the required energy for lifting heavy objects into space.
- Satellites or payloads are carried inside the rocket and are ejected once they reach near their intended orbit in space.
- Most satellites have small propulsion systems and carry small amounts of fuel.
- They carry instruments needed for the scientific work they are being sent into space for, as they encounter very little drag or force in outer space.

What is PSLV?

- PSLV stands for Polar Satellite Launch Vehicle.
- It is the most reliable rocket used by ISRO (Indian Space Research Organization) since its first launch in 1994.
- It is used not only for Indian satellites but also for carrying satellites from other countries, making it a versatile launch vehicle.
- PSLV is also more affordable than the launch vehicles of many other countries.
- PSLV has launched numerous Indian and foreign customer satellites, making it a versatile and reliable workhorse launch vehicle of India.
- It successfully launched Chandrayaan-1 in 2008 and Mars Orbiter Spacecraft in 2013, that later travelled to Moon and Mars respectively.
- PSLV earned the title 'the workhorse of ISRO' for consistently delivering various satellites into low earth orbits.

What are the components of PSLV?

- PSLV consists of four parts: PS1, PS2, PS3, and PS4.
- PS1 is a solid rocket motor with 6 solid strap-on boosters.
- PS2 is a storable liquid rocket engine known as the Vikas engine.

- PS3 is a solid rocket motor that provides high thrust to the upper stages of the launch.
- PS4 is the uppermost stage consisting of two Earth-storable liquid engines.
- PSLV's PS4 is designed to be reusable.
- As the rocket's various parts burn out, they detach and either become space debris or burn off in the atmosphere.

What was PSLV's most recent mission?

- PSLV launched **TeLEOS-2**, which will support satellite imagery requirements of various agencies within the Government of Singapore.
- **Lumelite-4** was also launched as a co-passenger satellite, aimed to augment Singapore's e-navigation maritime safety and benefit the global shipping community.
- **POEM-2** (PSLV Orbital Experimental Module) was also launched as an orbital platform to carry out scientific experiments through non-separating payloads that belong to ISRO/Department of Space, Bellatrix, Dhruva Space, and Indian Institute of Astrophysics.

About POEM:

- POEM (PSLV Orbital Experimental Module) is an experimental mission by ISRO that conducts scientific experiments during the fourth stage of PSLV launch vehicle as an orbital platform.
- The final stage of PSLV, PS4, usually ends up as space junk, but in the PSLV-C53 mission, it will be utilized as a "stabilized platform" for experiments.
- It is the first time the PS4 stage will orbit the earth as a stabilized platform.
- POEM has a Navigation Guidance and Control (NGC) system for attitude stabilization to control the orientation of any aerospace vehicle within permitted limits and stabilize it with specified accuracy.
- POEM carries six payloads, including two from Indian space start-ups, Digantara and Dhruva Space, enabled through IN-SPACE and NSIL.
- POEM derives its power from solar panels mounted around the PS4 tank and a Li-Ion battery, and it navigates using four sun sensors, a magnetometer, gyros, and NavIC.
- POEM also has dedicated control thrusters that use helium gas storage and is enabled with a telecommand feature.

Ransomware

Source: The Hindu

Why in the news?

Recently, reports emerged that LockBit ransomware was found to be targeting Mac devices.



What is Ransomware?

- Ransomware is a type of malware that blocks access to a computer system or network until a ransom is paid.
- Cybercriminals demand money in exchange for unblocking data.
- Recent cyberattacks, such as the one on AIIMS, involve demands for ransom in cryptocurrencies.
- Examples of ransomware include WannaCry (2017), Petya/NotPetya (2017), and GandCrab (2018).

How does ransomware work?

Ransomware is installed on the victim's computer or network through a malicious link, email attachment, or software download.

↓

The ransomware encrypts files and blocks access to them, making them unusable.

↓

The victim is notified of the ransomware attack, typically with a pop-up window or message, informing them that their files have been encrypted and demanding payment in exchange for a decryption key.

↓

The victim is given a deadline to pay the ransom, usually in cryptocurrency like Bitcoin, and threatened with permanent loss of data if they do not comply.

↓

If the victim pays the ransom, the cybercriminal sends a decryption key that will allow the victim to regain access to their files.

↓

If the victim does not pay the ransom, the cybercriminal may delete the encrypted files or threaten to release sensitive data to the public.

How do we protect systems against ransomware?

1. Passwords and Multi-factor Authentication:

- Use strong passwords with special characters and variations
- Implement multi-factor authentication to prevent brute force attacks

2. Employee Training and Awareness:

- Conduct training exercises to educate employees on identifying phishing attacks
- Deactivate and close old or unused user accounts to prevent security breaches

3. Cybersecurity Knowledge and Understanding:

- Have an understanding of cybersecurity threats
- Identify vulnerable points that may be exploited by cybercriminals to prevent attacks

What are the various initiatives for Cyber Security?

- **International efforts:**
- **Budapest Convention on Cybercrime (2004)** aims to address Internet and cybercrime by harmonizing national laws. India is not a signatory.
- **India:**
- **Policies:** National Cyber Security Policy 2013; National Cyber Security Strategy 2020
- **Schemes:** Cyber Surakshit Bharat Yojana (2018) to create awareness programs on cybersecurity; Cyber Swachhta Kendra (provides free Botnet Cleaning and Malware Analysis tools)
- **Institutions:** Indian Cyber Crime Coordination Centre (I4C) (established in 2018 under Home Ministry) to combat cybercrime in India; National Critical Information Infrastructure Protection Centre (NCIIPC); National Cyber Coordination Centre (NCCC) (under CERT-In)

National Panchayati Raj Day

Source: Economic Times

Why in the news?

National Panchayati Raj Day is celebrated on April 24 every year in India to commemorate the historic day when the Panchayati Raj System was introduced in the country.



What is the Panchayati Raj System?

- The Panchayati Raj System is a decentralized system of governance in India, where local bodies or Gram Panchayats are given the power to govern themselves and make decisions for the development of their respective areas.
- This system was introduced in 1993 by the 73rd Constitutional Amendment Act, which aimed at bringing democracy at the grassroots level and empowering people in rural areas.

What is the history of the Panchayati Raj System?

- The Panchayati Raj System has its roots in ancient India, where the village council or Panchayat was the primary unit of governance.
- The system was revived in the early 1950s when the first National Development Council recommended the establishment of a democratic system of governance at the grassroots level.
- The **Balwant Rai Mehta Committee** recommended the establishment of a scheme of 'democratic decentralization' which ultimately led to the establishment of the Panchayati Raj System.
- Rajasthan was the first state to establish Panchayati Raj.
- In 1993, the Panchayati Raj System was given a constitutional status and made mandatory for all states in India. (73rd Constitutional Amendment Act)

What is the significance of Panchayati Raj System?

- The Panchayati Raj System has been instrumental in bringing about significant changes in the rural landscape of India.
- **Empowerment of Rural Communities:** It has given people in rural areas a voice and an opportunity to participate in the decision-making process, leading to the overall development of their respective areas.
- **Decentralisation of Power:** The system has also helped in decentralizing power and reducing corruption at higher levels of government, as decisions are made at the local level.
- **Socio-economic Development:** It has facilitated the creation of infrastructure, such as roads, schools, health centers, and irrigation systems, which has improved the standard of living in rural areas.
- **Promoting Social Justice:** The system has been successful in promoting social justice by ensuring that resources are distributed fairly and equitably among all sections of society.

- **Empowerment of Women:** It has resulted in the election of a large number of women representatives at the local level, which has led to the implementation of policies that promote the welfare of women and their empowerment.

Theme of National Panchayati Raj Day 2023:

- 'Sustainable Panchayat: Building Healthy, Water Sufficient, Clean & Green Villages'.
- The primary objective of this year's theme is to promote sustainable development in rural areas by focusing on the availability of clean water, promoting good health practices, and creating a clean and green environment.
- The theme aims to encourage the creation of healthy and water-sufficient villages, which are clean and green.
- By adopting sustainable practices, the Panchayats can help in conserving the environment and promote eco-friendly activities.

Prelims Practice Questions:

1. Consider the following statements with respect to Panchayati Raj Institutions (PRIs):

1. PRI was constitutionalized through the 73rd Constitutional Amendment Act, 1992.
2. The National Panchayati Raj day is celebrated on 2nd October on the establishment of the first PRI in Nagaur, Rajasthan in 1959.

Which of the above statements is/are correct?

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

2. Which of the following entities are required by law to report cyber security incidents in India?

1. Service providers
2. Data centres
3. Body corporate

Select the correct answer using the code given below:

- a. 1 only
- b. 1 and 2 only
- c. 3 only
- d. 1, 2 and 3

3. Consider the following:

1. Rule of law
2. Harmony and balance between Fundamental Rights and Directive Principles
3. Judicial review
4. Fundamental Duties

Which of the above constitute the 'basic structure' of the Indian Constitution?

- a. 1, 2 and 4 only
- b. 1 and 2 only
- c. 1, 2 and 3 only
- d. 2 and 4 only

4. Consider the following statements with respect to World Meteorological Organization:

1. It is a specialized agency of United Nations
2. State of Climate report is published by WMO
3. India is not a member of the WMO.

Which of the statements given above is/are correct?

- a. 1 only
- b. 1 and 2 only
- c. 3 only
- d. 1, 2 and 3

5. Which of the following is/are covered under definition of law (Article 13)?

1. Permanent laws enacted by the Parliament or the State legislature
2. Delegated Legislation
3. Temporary laws like ordinance issued by the President or Governors.

Select the correct answer using the codes given below:

- a. 1 only
- b. 1 and 2 only
- c. 3 only
- d. 1, 2 and 3

6. With reference to India's satellite launch vehicles, consider the following statements:

1. PSLVs are utilized for launching Earth resources monitoring satellites, while GSLVs are primarily designed to launch communication satellites.
2. Satellites launched by PSLV seem to be stationary in the same position when viewed from a specific location on Earth.
3. GSLV Mk III is a four-stage launch vehicle with solid rocket motors being used in the first and third stages, while the second and fourth stages utilize liquid rocket engines.

Which of the above statements is/are correct?

- a. 1 only
- b. 2 and 3 only
- c. 1 and 2 only
- d. 3 only

7. The term Lockbit mentioned in the news recently is related to

- a. Exoplanets
- b. Cryptocurrency
- c. Cyber attacks
- d. Mini satellites

8. Consider the following statements:

1. The primary purpose of PSLV (Polar Satellite Launch Vehicle) is to launch "Earth observation" or "remote sensing" satellites.
2. The primary purpose of GSLV (Geosynchronous Satellite Launch Vehicle) is to launch communication satellites into Sun synchronous Polar orbits.

Which of the above statements is/are correct?

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

9. Consider the following statements regarding National Commission for Protection of Child Rights:

1. It is a constitutional body established by the Commission for Protection of Child Rights (CPCR) Act, 2005.
2. Commission works under the aegis of Ministry of Women and Child Development.

Which of the above statements is/are correct?

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

10. Consider the following statements:

1. The Supreme Court first propounded the doctrine of 'basic structure' of the constitution in its landmark verdict in the Minerva Mills Case.
2. The Supreme Court clearly defined what constitutes the 'basic structure' of the Constitution.

Which of the above statements is/are correct?

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