

Mains Master

India's revised criminal law proposals

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This article discusses the introduction of three revised Bills aimed at replacing archaic criminal laws in India, highlighting key changes in definitions, punishments, and procedural aspects while addressing criticisms about potential impacts on civil liberties and overcriminalization concerns.

Bharatiya Nyaya (Second) Sanhita Bill, 2023

- **Terrorist Act Definition:** The revised Bill adopts the definition of a 'terrorist act' from the Unlawful Activities (Prevention) Act, 1967 (UAPA). It broadens the definition to cover various acts threatening the nation's integrity and sovereignty.
- **Cruelty Against Women Defined:** The Bill proposes a defined form of cruelty against women by their husbands or relatives, punishable with a maximum of three years in jail. It highlights acts likely to drive a woman to suicide or cause grave physical or mental harm.
- **Unauthorised Publication of Court Proceedings:** It prohibits the printing or publishing of any matter related to court proceedings in rape or sexual assault cases without permission. Reports on High Court or Supreme Court judgments are excluded from this provision.
- **'Mental Illness' Replaced:** The term 'mental illness' is replaced with 'unsoundness of mind' in most provisions, along with the addition of 'intellectual disability' in certain sections.
- **Mob Lynching Punishment:** The Bill initially treated mob lynching as a separate category of murder but faced criticism for prescribing a minimum sentence of seven years, less than that for murder. The revised version now penalizes mob lynching at par with murder.
- **Adultery & Section 377:** The recommendations to criminalize adultery in a gender-neutral manner and address non-consensual sex between individuals (including same-sex relations) have not been included in the revised Bill.
- **'Petty Organised Crime' Redefined:** The vague definition in the original Bill was refined to specify that acts like theft, cheating, unauthorized selling of tickets, and similar crimes committed by organized groups are considered 'petty organized crime'

Bharatiya Nagarik Suraksha (Second) Sanhita, 2023

- **Community Service Defined:** The concept of 'community service' is introduced as a punishment for minor offenses, aiming for a reparative approach to crime.
- **Handcuffing:** The usage of handcuffs has been expanded to include individuals accused of serious economic offenses, not just limited to arrest but also during the stage of production before the court.
- **Audio-Visual Proceedings:** Changes have been made in the types of court proceedings allowed through audio-visual means, including exclusions and introductions of specific proceedings.
- **Police Custody:** The provision allowing police custody beyond the initial 15 days of arrest has raised concerns about potential misuse, particularly impacting marginalized communities.
- **Preventive Detention Powers:** There's now a requirement to produce the detained person before a Magistrate within 24 hours.

Bharatiya Sakshya (Second) Bill, 2023

- **Admissibility of Electronic Evidence:** The admissibility of electronic evidence is now subject to specific requirements under section 63, aiming for authentication.

Existing Concerns

- **Overcriminalisation:** Criticism persists regarding the failure to address extensive overcriminalization in these revised Bills.
- **Police Powers:** Widening police custody duration beyond the initial 15 days has raised concerns about potential police excesses and its impact on civil liberties. Critics highlight the increased risk of fabricated evidence and coercive actions during prolonged detention.

The evolving role of the Colombo Security Conclave

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The article delves into the Colombo Security Conclave's (CSC) role in addressing Indian Ocean security challenges. It highlights the CSC's evolving dynamics, India's strategic vision, the impact of China, and political vulnerabilities affecting regional collaboration, notably the Maldives' recent absence. Despite obstacles, the CSC remains pivotal for India to bolster its regional leadership amidst increasing complexities and threats in the Indian Ocean region.

Overview of the CSC Meeting:

Participating Members:

During the sixth Colombo Security Conclave (CSC) meeting, India's NSA, Ajit Doval, engaged with member-states Mauritius, Sri Lanka, and observer-states Bangladesh and Seychelles. However, the absence of the Maldives underscored the impact of domestic political factors on regional collaboration.

Evolution of Dynamics:

Historical Context:

The CSC originated in 2011 as a trilateral maritime security initiative involving Sri Lanka, India, and the Maldives but faced a standstill in 2014 due to escalating tensions between India and the Maldives.

Revival Efforts:

India spearheaded efforts to revive and institutionalize the CSC in 2020, advocating for its expansion to include Mauritius, Seychelles, and Bangladesh. This revival demonstrates India's evolving strategic outlook in the Indo-Pacific region.

Objectives of India:

Regional Engagement:

India historically contributed to enhancing security in the Indian Ocean by aiding island nations in security measures, capacity-building, and crisis management. The CSC serves as a platform for India to institutionalize its role, influence regional security dynamics, and address emerging threats effectively.

Impact of China:

China's Influence:

China's Belt and Road Initiative (BRI) investments aimed at controlling trade routes and limiting India's regional influence have significantly impacted the Indian Ocean region. Its naval expansions, defense relationships, and infrastructural control raise concerns among regional stakeholders.

CSC's Response:

The CSC focuses on countering various threats such as terrorism, cyber-security, marine pollution, and maritime law. Recent conferences on oceanography, hydrography, and coastal security demonstrate collaborative efforts. The establishment of joint working groups highlights an emphasis on capacity-building in security domains.

Political Dynamics:

Domestic Influences:

Member-states' engagement within the CSC is susceptible to domestic politics, evident in the Maldives' absence. This absence could be attributed to inclinations toward closer ties with China or fulfilling nationalist campaign promises.

Political Strategies:

Democratic member-states utilize nationalist and pro-China narratives for both internal and external gains within the CSC framework.

Conclusion:

CSC's Significance:

The CSC remains critical for India as it faces increased regional responsibilities and threats. It serves as a pivotal instrument for India to consolidate and assert its regional leadership amidst the ever-evolving Indo-Pacific landscape.

Breaking away from past narratives

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The article provides an extensive overview of the core themes in "Breaking the Mould: Reimagining India's Economic Future" by Raghuram Rajan and Rohit Lamba. It covers a range of topics from advocating vibrant democracy, emphasizing quality over quantity, leveraging India's digital prowess, to rethinking conventional paradigms for India's future economic advancement.

Reimagining Democracy:

- **Advocating Vibrant Democracy:** Contrary to the belief that democracy might impede growth, the book stresses the need for a more dynamic and vibrant democracy. It emphasizes the importance of free expression, open debate, and a culture of irreverence to stimulate creativity and innovation, which are crucial for India's future progress.

Manufacturing Evolution:

- **Shift from Low-end to High-end Manufacturing:** The authors argue against incentivizing low-end assembly jobs for foreign companies, advocating instead for a focus on high-end manufacturing and services. They showcase successful examples such as ID foods and Lenskart, illustrating how they transformed commodities into value-added products and services.

Research and Industry Collaboration:

- **Leveraging English Language Advantage:** Recognizing India's advantage in English language skills, the book emphasizes the need for increased investment in education and collaboration between higher education institutes and industries. This collaboration could position India favorably for research and development, especially in technology-related sectors.

Healthcare Reforms:

- **Improving Healthcare Infrastructure:** Highlighting the deficiencies in India's healthcare system, the authors underscore the importance of technological advancements in institutions like Aravind Eye Hospital. They advocate for skilling more healthcare professionals to alleviate the strain on traditional medical practitioners.



Quality Over Quantity:

- **Emphasis on Quality:** India's historical emphasis on quantity over quality is challenged in the book. It stresses the necessity of prioritizing quality across various sectors to bolster India's competitiveness on the global stage.

Digital Technology Focus:

- **India's Digital Prowess:** Commending India's advancements in digital technology, the book suggests expanding these innovations to other sectors by establishing a health stack similar to the India digital stack. This move aims to ensure transparency, measurement, and accountability in all services for overall improvement.

Reimagining India's Future:

- **Breaking Away from Past Paradigms:** The book concludes by urging a departure from conventional approaches, stressing the urgency of not only building economic power but also cultivating soft power for India's promising future. It emphasizes the need for a significant shift in mindset and strategies to propel India forward.

The book's final chapter, adopting a Q&A format, challenges readers to rethink established frameworks and models, echoing Mahatma Gandhi's approach in Hind Swaraj. This approach aims to stimulate critical thinking and provoke a reimagining of India's future trajectory.

The need for change is in the air

The article highlights the substantial gap between the current climate adaptation financing and the actual funding needed, focusing on India's situation. It discusses the nation's initiatives to combat climate change, emphasizing the urgent need for increased investment in sustainable practices and clean energy while calling for collaborative efforts between governments and industries to address pollution issues.

• **Adaptation Gap Report Findings:**

- Developing countries need \$215 billion annually for climate adaptation.
- Current funding allocation stands at \$21 billion, a significant shortfall.

• **Implications for Indian Corporations:**

- Emphasizes the urgent need for investment in green technologies and eco-friendly practices.
- Encourages reducing carbon footprints among corporations operating in India.

• **India's Climate Response:**

- Innovative initiatives like Gujarat's Emission Trading Scheme on particulate matter.
- National targets: 50% non-fossil fuel energy by 2030, aiming for net-zero emissions by 2070.
- Progress in solar, wind power, and investments in new technologies like floating solar and offshore wind.

• **Addressing Pollution - Government Initiatives:**

- Enforcing stringent regulations and transparent guidelines for clean energy adoption.
- Offering tax incentives to promote eco-friendly practices.

- Fostering public-private partnerships for sustainable infrastructure development.
- Establishing effective climate finance mechanisms.
- **Public Awareness and Education:**
- Launching extensive public awareness campaigns about pollution's harmful effects.
- Educating citizens and corporations about the importance of embracing clean energy solutions.

Prelims Blaster

Return of CSP to aid round-the-clock green power

NTPC, a state-owned power company, is reviving interest in Concentrated Solar Power (CSP) and received an overwhelming response from companies when inquiring about setting up CSP plants.

- ☀️ ****Concentrated Solar Power (CSP) Overview:****
 - CSP utilizes mirrors to concentrate sunlight onto a point, generating heat that drives turbines for electricity, with the technology allowing for heat storage, ensuring continuous use even without sunlight.
- 🌍 ****Advantages of CSP:****
 - Renewable and sustainable energy source, reducing carbon footprint.
 - Provides more continuous electricity compared to solar PV and wind power.
 - Integrates easily into existing steam-based power plants and has lower operational costs.
- 🚫 ****Disadvantages of CSP:****
 - Location-dependent and requires substantial land, making it uneconomical in populated areas.
 - Uses significant amounts of water, presenting challenges for cooling and potentially affecting the surrounding landscape.
 - Expensive operational costs due to high-priced thermal energy storage materials and competition from other energy sources.



India joins an international energy storage consortium to transition to green energy

- 🌐 In a significant development at the 2023 United Nations Climate Change Conference (COP28), India has officially become a member of the Battery Energy Storage Systems (BESS) consortium, an ambitious initiative launched by the Global Leadership Council of the Global Energy Alliance for People and Planet (GEAPP).
- 🌐 India's entry into the consortium marks a pioneering step towards sustainable energy solutions, aligning with the country's commitment to addressing climate change and its determination to reduce carbon emissions.
- 🌱 The primary objective of the consortium is to achieve a combined commitment of 5 GW of Battery Energy Storage Systems by the end of 2024, in line with India's ambitious renewable energy goals.

About green versus blue hydrogen

- 💧 Hydrogen is seen as a game changer in the fight against climate change, particularly in "hard-to-abate" sectors such as steel manufacture, chemical production, aviation, shipping, and heavy transportation, with two streams of hydrogen production being actively considered: blue and green hydrogen.
- 🔵 Blue hydrogen is produced from natural gas via processes like steam methane reforming, while green hydrogen is produced via renewable-fuelled water electrolysis, with the latter being considered the most water-efficient form of clean hydrogen, as highlighted in a report released during COP 28 by the International Renewable Energy Agency (IRENA) and BlueRisk, emphasizing the need to prioritize green hydrogen to minimize water security threats.
- 🌐 The suitability of blue or green hydrogen as a future fuel is premised on how much water is consumed for their production, with global specialists projecting a six-fold increase in freshwater withdrawal for hydrogen production by 2050.

India may rethink FTA with Dhaka on fear of Bangladesh joining China-led RCEP

- 🇧🇩 Dhaka's intention to join the RCEP after its general elections early next year has raised concerns for India, as Bangladesh already imports significantly more from China than from India, and Indian officials are cautious about the potential increase in Chinese imports upon Bangladesh's entry into the RCEP.
- 🤝 An India-Bangladesh FTA could potentially facilitate the flow of Chinese goods into India from Bangladesh through the FTA route, circumventing Rules Of Origin (ROO), which could pose a significant challenge for the Indian industry.

- 🇮🇳 Rules of origin are crucial criteria used to determine the national source of a product, impacting duties, restrictions, and trade policies.
- 🌐 Governments vary in their practices, with some applying the criterion of substantial transformation, change of tariff classification, ad valorem percentage, or manufacturing/processing operation.
- 🇮🇳 Rules of origin are used to implement commercial policy measures, determine preferential treatment for imported products, for trade statistics, labelling and marking requirements, and government procurement.
- 🇮🇳 GATT does not have specific rules governing the determination of the country of origin of goods in international commerce, allowing each contracting party to determine its own origin rules based on the purpose of the particular regulation.

India collaborating with Bangladesh to develop 'protocol shipping route'

- 🇮🇳 India is focusing on enhancing cargo movement along the Indo-Bangladesh protocol route, aiming to utilize coastal waters, increase access to and use of Mongla and Chattogram ports in Bangladesh, and improve connectivity via inland waterways routes.
- 🤝 Under the protocol route, 50:50 cargo sharing by Indian and Bangladeshi vessels is permitted for both transit and inter-country trade.

Chavittunatakam performance

Taking centre stage



Stepping it up: More than 500 women from Kudumbashree units across Kerala staged a Chavittunatakam performance – a folk theatre art form – at Durbar Hall Grounds in Kochi on Sunday to set a world record. The performance depicted the 25-year journey of the women's collective, which has won laurels for fighting poverty and empowering women in the State. H.VISHU

Image source : The Hindu