

DAILY CURRENT AFFAIRS (DCA)

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Table of Content

LS Passes Bills to replace British-era Criminal laws	1
World Bank sets up Task Force on MDB Reforms	4
Public Accounts Committee (PAC) Report on Agriculture Insurance Schemes	6
Outcomes of COP 28	7
NEWS IN SHORT	
Kolattam Dance	9
Greenwashing	10
Sub-schemes under RAMP programme	11
Pradhan Mantri Bhartiya Janaushadhi Pariyojana	12

LS PASSES BILLS TO REPLACE BRITISH-ERA CRIMINAL LAWS

Context

- Lok Sabha (the Lower house of the Parliament of India) passed the ***Bharatiya Nyaya (Second) Sanhita (2023), the Bharatiya Nagarik Suraksha (Second) Sanhita (2023), and the Bharatiya Sakshya (Second) Bill (2023)*** to replace British-era criminal laws.
 - ♦ All three were discussed and passed with a voice-vote.

The Bharatiya Nyaya (Second) Sanhita Bill (BNSS):

- It replaced the Indian Penal Code (IPC), 1860, and it has 358 sections instead of 511 in the IPC.
 - ♦ However, it retains most offences from the IPC, and adds community service as a form of punishment.
- **Sedition:** It is no longer an offence. Instead, there is a new offence for acts endangering the sovereignty, unity and integrity of India.
 - ♦ **Rajdroha** (sedition or offence against the government) has been replaced with **Deshdroha** (offence against the nation or country).
- **Terrorism:** It adds terrorism as an offence, and defines it as an act that intends to threaten the unity, integrity, security or economic security of the country, or strike terror in the people.
 - ♦ **Unlawful Activities (Prevention) Act, 1967 (UAPA)**'s definition of 'terrorist act' adopted: **Section 113** of the revised Bill has modified the definition of the crime of terrorism to entirely adopt the existing definition under Section 15 of the UAPA.
- **Organised Crime:** It has been added as an offence. It includes crimes such as kidnapping, extortion and cyber-crime committed on behalf of a crime syndicate. Petty organised crime is also an offence now.

Issues and Analysis of BNSS:

- Age of criminal responsibility is retained at seven years. It extends to 12 years depending upon the maturity of the accused.
 - ♦ It may contravene recommendations of international conventions.

- BNSS defines **a child to mean a person below the age of 18**. However, for several offences, the age threshold of the victim for offences against children is not 18.
- BNSS removes sedition as an offence, but the provision on endangering the sovereignty, unity and integrity of India may have retained aspects of sedition.
- It retains the provisions of the IPC on rape and sexual harassment, and **does not consider recommendations of the Justice Verma Committee (2013)** such as making the offence of rape gender neutral and including marital rape as an offence.
- BNSS **omits Section 377 of IPC** which was read down by the Supreme Court.
 - ♦ It removes rape of men and bestiality as offences.

The Bharatiya Sakshya (Second) Bill (BSB):

- It replaced the **Indian Evidence Act (IEA), 1872**, by incorporating 170 sections and expanding the definition of documents to **include electronic records**.
 - ♦ However, it retains most provisions of the IEA including those on confessions, relevancy of facts, and burden of proof.
- The BSB expands **secondary evidence** to include oral and written admissions, and the **testimony of a person** who has examined the document and is skilled in the examination of documents.

- The **IEA** provides for **two kinds of evidence:** Documentary and Oral.
 - ♦ **Documentary evidence** includes primary (original documents) and secondary (that proves the contents of the original).
 - ♦ Under the IEA, **electronic records** are categorised as secondary evidence, but the BSB classified these **as primary evidence**.

Issues and Analysis of BSB:

- **Tempering of Electronic Records:** The Supreme Court has recognised that electronic records may be tampered with.
 - ♦ However, the BSB provides for the admissibility of such records, there are no safeguards to prevent the tampering and contamination of such records during the investigation process.

- **Incorporating the Law Commission Recommendations:** It has made several recommendations, including the presumption that the police officer caused the injuries if an accused was injured in police custody, which have not been incorporated.
- The IEA (and the BSB) allows **information to be admissible** if it was obtained when the **accused was in police custody**, but not if he was outside.
 - ♦ However, the Law Commission recommended to remove the above distinction.

The Bharatiya Nagarik Suraksha (Second) Sanhita Bill (BNSSS):

- It **replaced the Code of Criminal Procedure, 1898**, having 531 sections, and it enabled **Zero FIR nationwide**. It provides for the procedure for arrest, prosecution, and bail.
- **Use of Technology:** All trials, inquiries, and proceedings may be held in electronic mode. Production of electronic communication devices, likely to contain digital evidence, will be allowed for investigation, inquiry, or trial.
- Forensic investigation: Along with specimen signatures or handwriting, finger impressions and voice samples may be collected for investigation or proceedings.
 - ♦ Samples may be taken from a person who has not been arrested.
 - ♦ It mandates forensic investigation for offences punishable with seven years of imprisonment or more. Forensic experts visit crime scenes to collect forensic evidence and record the process.

Issues and Analysis:

- BNSSS allows up to **15 days of police custody**, which can be authorised in parts during the initial days period of judicial custody.
 - ♦ It **may lead to denial of bail** for the entire period if the police have not exhausted the 15 days custody.
 - ♦ Clause 187 of the BNSSS permits police custody of up to 90 days, as against the 15-day custody allowed till now. The law also prevents any third party from filing mercy petitions on behalf of convicts on death-row.
- The BNSSS denies this facility for anyone facing multiple charges. As many cases involve charges under multiple sections, it may limit such bail.

- ♦ The CrPC provides for bail for an accused who has been detained for half the maximum imprisonment for the offence.
- The power to attach property from proceeds of crime **does not have safeguards provided in the Prevention of Money Laundering Act**.
- Recommendations of **high level committees** on changes to the CrPC such as reforms in sentencing guidelines and codifying rights of the accused have not been incorporated in the BNSSS.

Conclusion:

- These three Bills stressed justice rather than punishment, and have been designed to last for the next century, keeping technological advancements in mind. It is a pure Indian law after removing all the British imprints.
- Their significant impact on the criminal justice system, emphasising a shift towards a more humane approach. The laws prioritise justice, equality, and fairness, addressing loopholes in existing legislation.
 - ♦ The bills focus on transparency, accountability, and protecting the rights of victims and accused individuals.
 - ♦ These bills use modern technology to streamline legal processes, and leverages to prevent the misuse of police powers, with compulsory video recording of evidence.

Source: *TH*

WORLD BANK SETS UP TASK FORCE ON MDB REFORMS

In Context

- The World Bank Group has established a **task force** to examine the recommendations of the **Independent Expert Group (IEG)** regarding the reform of multilateral development banks (MDBs).

About

- The group has suggested adopting a **triple mandate** of eliminating extreme poverty, boosting shared prosperity, and contributing to global public goods, tripling sustainable lending levels by 2030.
- It also recommended creating a **third funding mechanism**, which would permit flexible and innovative arrangements for purposefully engaging with investors willing to support elements of the MDB agenda.

What are Multilateral Development Banks (MDB)?

- Multilateral Development Banks are institutions whose members include **multiple developed and developing countries**, which have to fulfil certain lending obligations to facilitate developmental objectives.
- They provide **financial and technical assistance to developing countries**.
- Usually, **developed countries** in MDBs contribute to the lending pool while **developing countries primarily borrow** from these institutions to fund development projects.
- While commercial banks seek to make profits on loans and other financial services, the goal of MDBs is to issue grants and low-cost loans to improve the economic conditions of developing nations.
- **Some Multilateral Development Banks include:** World Bank Group, International Monetary Fund (IMF), Asian Development Bank (ADB), African Development Bank (AfDB).

Need for the Reforms

- **Efficacy in Dealing Challenges:** A reformed MDB ecosystem can equip stakeholders to better deal with global challenges in effective ways.
 - ♦ MDBs should operate more in sync with the **developmental priorities of individual nations**.
- **Involvement of Private Sector:** The expert group called for bringing private sector engagement to the centre of MDB operations by breaking away from the culture of limited operational interaction between their private and sovereign financing arms.
 - ♦ Given that MDBs need to ramp up financing to \$390 billion by 2030, the private sector can play a pivotal role in making that happen by reversing the current trend of disappointingly low private financial flows.
- **Greater Involvement of Governments:** To mitigate coordination failures, the expert group has called for greater involvement of national governments to develop a home-grown unified vision of goals, policies, investments and financing.

Role of MDBs in India

- MDBs have played a crucial role in India's development journey by financing key infrastructure projects with longer gestation periods.

- **The World Bank**, established in 1944, has committed to lending worth \$97.6 billion in India, including all active and closed projects.
 - ♦ Of the total commitments, 19 percent have been committed to projects in the public administration sector, 15 percent to the agriculture, fishing and forestry sector, and 11 percent to the transport sector.
- **The Asian Development Bank**, formed in 1969, has cumulatively committed to assistance worth \$59.7 billion in India for project and technical assistance.
- The Beijing-headquartered **Asian Infrastructure Investment Bank (AIIB)**, which was formed in 2016, has approved financing worth \$9.9 billion in India.
- **The European Investment Bank**, established in 1958, has signed off on 22 projects in India with a cumulative value of Euro 4.5 billion.

Source: [BS](#)

PUBLIC ACCOUNTS COMMITTEE (PAC) REPORT ON AGRICULTURE INSURANCE SCHEMES

Context

- The Public Accounts Committee (PAC) in its 78th Report, raised concerns regarding failure of Agricultural Insurance Company of India Ltd (AIC) to comply with the guidelines under National Agricultural Insurance Scheme (NAIS).

Concerns raised by PAC report

- According to the PAC report the NAIS guidelines provided that Insurance Agency (AIC) is responsible for arranging re-insurance support for the **entire scheme claims under NAIS**.
- However AIC had arranged re-insurance support only for its own share of claims under NAIS and did not arrange for the share of claims to be borne by Central and the State governments.
- Delay in the release of funds by the state governments towards share in premium subsidy observed.
- The coverage of farmers in the country as well as in the nine selected States under the erstwhile schemes was very low compared to their population.

What is Reinsurance?

- Reinsurance, referred to as “**insurance for insurance companies**”. It is a contract between a reinsurer and an insurer.
- In this contract, the insurance company—the cedent—transfers risk to the reinsurance company, and the latter assumes all or part of one or more insurance policies issued by the cedent.

History of Crop Insurance Schemes

- The Centre introduced the **Comprehensive Crop Insurance Scheme (CCIS)** in 1985. Later the CCIS was replaced by **NAIS** from 1999-2000.
- From 2010-11, Modified National Agricultural Insurance Scheme (MNAIS) was introduced in 50 districts as pilot.
- In 2013-14, MNAIS was merged with Weather Based Crop Insurance Scheme (WBCIS) and a new **National Crop Insurance Programme (NCIP)** started.
- However, NAIS was allowed to be continued in some States, until 2015-16.
- From 2015-16 Kharif season, the Centre introduced the flagship Pradhan Mantri Fasal Bima Yojana (PMFBY).

Recommendations

- The report emphasizes the need for devising a robust compliance mechanism and timely release of funds.
- The factors attributable for the poor performance of the schemes are required to be identified and appropriately addressed.
- Integrate the database of different schemes for efficient and fast implementation of insurance schemes.

Public Accounts Committee

- The committee was set up first in 1921 under the provisions of the **Government of India Act of 1919**.
- It consists of **22 members**, 15 from the Lok Sabha and 7 from the Rajya Sabha.
- The members are elected by the Parliament every year from amongst its members according to the **principle of proportional representation** by means of the single transferable vote.

- A **minister cannot be elected as a member** of the committee. The term of office of the members is **one year**.
- **The function** of the committee is to examine the annual audit reports of the Comptroller and Auditor General of India (CAG), which are laid before the Parliament by the President.

Source: [BL](#)

OUTCOMES OF COP 28

In Context

- **The 28th Session** of the **UN Climate Change Conference (COP 28)** was held in **Dubai, United Arab Emirates**.

The Major Outcome from COP 28

- **Loss and Damage (L&D) Fund:** It was created during COP 27, it was made operational in COP28.
 - ♦ COP 28 approved the **Governing instrument** of the Loss and Damage Fund and decided that the Fund will be serviced by a **new, dedicated and independent secretariat**.
 - ♦ However, a meagre \$790 million has been pledged so far, by a few nations, despite the corpus requiring \$100 billion to more than \$400 billion a year.
 - ♦ Notably, the U.S., the largest historical emitter, committed only \$17.5 million.
- **Ambitious Emissions Reduction Targets:** The first global stocktake (GST) concluded. GST enables countries and other stakeholders to see their progress towards meeting the goals of the Paris Agreement.
 - ♦ Countries’ decision at COP28 to transition away from fossil fuels was coupled with an ambition to **triple renewable energy capacity by 2030**.
 - ♦ More than 20 countries also pledged to **triple their nuclear energy capacity**.
- **Global green-finance Mechanisms:** The COP28 witnessed the establishment of innovative global green-finance mechanisms to support developing nations in their transition to sustainable practices.
 - ♦ The Green Climate Fund received fresh support of \$3.5 billion, allowing it to finance adaptation and mitigation projects in vulnerable regions.

- ♦ The COP28 Presidency also introduced **ALTÉRRRA**, an investment initiative with an ambitious goal to globally mobilise an unprecedented sum of **\$250 billion by 2030**.
- **Climate and Health Declaration:** The **U.A.E.** declaration on climate and health came into being at COP28 through a partnership of the COP28 Presidency with the **World Health Organisation**.
 - ♦ It recognises the growing health impacts of climate change including a reduction in air pollution and lowering the cost of healthcare.
 - ♦ The declaration, signed by **123 countries**, has collectively committed **\$1 billion** to address the growing climate-health crisis.
 - ♦ **India didn't sign this declaration** as India's healthcare infrastructure is still growing to meet demand, such a commitment could compromise the healthcare requirements of a growing population.
- **The Global Methane Pledge:** It was launched at COP26 and received renewed attention at COP28, with the Climate and Clean Air Coalition becoming the new secretariat.
 - ♦ It announced more than \$1 billion in new grants for funding projects to reduce methane emissions from the agriculture, waste, and gas sectors.
 - ♦ **More than 150 countries** signed the pledge to reduce methane pollution.
 - ♦ **India isn't a signatory** to this pledge because **it shifts focus from carbon dioxide to methane**, a GHG with a lower lifetime.
 - ♦ Methane emissions in India are also primarily from rice cultivation and enteric fermentation (livestock rearing), which support the livelihoods of small and marginal farmers.
- Some other contentious issues spanned the market mechanisms, financial resource allocation, the role of the World Bank as the agency for managing the L&D fund, and private sector engagement in climate action.

About UN Climate Change Conference

- The United Nations Climate Change Conferences, often referred to as COP (Conference of the Parties), are international gatherings where countries come together to discuss and negotiate global efforts to address climate change.
- These conferences are organized under **the United Nations Framework Convention on Climate Change (UNFCCC)**, an international treaty came into force in **1994** with the objective of stabilizing greenhouse gas concentrations in the atmosphere.
- The COP meetings are held **annually**, and each conference is numbered sequentially.
- The conferences provide a platform for countries to assess progress in dealing with climate change, negotiate agreements, and make decisions on a wide range of issues related to climate action.

Source: **TH**

NEWS IN SHORT

KOLATTAM DANCE

Context

- In Vijayawada, Andhra Pradesh Girls performed Kolattam dance during Balotsav, a children's festival.

About

- The Kolattam dance is predominantly a dance **performed by women**, in Southern India.
- Men mostly take up the role as drummers or play the background music.
- In **Tamil Nadu and Kerala** the dance is known as **Kummi** and in **Andhra Pradesh** it is known as **Kolannalu**.
- The dance form resembles the **Dandiya and garba** folk dances of **Gujarat**.

Issues that Saw Difference of Opinions

- **Fossil-fuel Subsidies:** While developed countries advocated for phasing them out, developing countries, including India, refused over a phase-out's implications on economic growth and development.
- **Common and Differentiated Responsibilities:** The historical responsibility of developed countries for GHG emissions, developing countries argued to increase the flow of climate finance and technologies to facilitate just job transitions and inclusive development.

Performance of Dance

- The group comprises dancers in the range of 8 to 40. It is **performed by using sticks** to represent the rhythm of the dance.
 - ♦ The sticks are stroked against each other in a calibrated form for creating harmony.
- The dancers are led by a leader and move about in **two circles**. The inner circle receive the strikes on their sticks from the artists in the outer circle that deliver them.



Source: **TH**

GREENWASHING

Context:

- Recently, the United Kingdom (UK) banned Air France, Lufthansa, and Etihad ads over 'greenwashing' claims.

About Greenwashing



- It is the process of conveying a false impression or providing misleading information about how a company's products are more environmentally sound.
- It is considered an unsubstantiated claim to deceive consumers into believing that a company's products are environmentally friendly.
- For example, companies involved in greenwashing behaviour might make a claim that their products are from recycled materials or have energy-saving benefits.

- ♦ Although some of the environmental claims might be partly true, companies engaged in greenwashing typically exaggerate their claims or the benefits in an attempt to mislead consumers.

Additional Information (Aviation industry and emissions)

- According to the UN Intergovernmental Panel on Climate Change's (IPCC) 2022 estimates, the aviation industry is responsible for approximately 2.5% of all human-produced CO2 emissions.
- It may seem like a modest contribution to the overall emissions, but it is set to grow at a very fast pace.
- The IPCC has said that aviation's contribution could increase to 5% of the total contribution by 2050 if measures are not taken to address these emissions.

Source: **IE**

SUB-SCHEMES UNDER RAMP PROGRAMME

Context

- In the 2nd meeting of the National MSME Council three sub-schemes were launched under the aegis of the RAMP programme.

Sub-schemes under RAMP programme

- **The MSME Green Investment and Financing for Transformation Scheme (MSME GIFT Scheme):** It intends to help MSMEs adopt green technology with interest subvention and credit guarantee support.
- **The MSE Scheme for Promotion and Investment in Circular Economy (MSE SPICE Scheme):** It is the first ever scheme in the Government to support circular economy projects which will be done through credit subsidy and will lead to realizing the dream of MSME sector towards zero emissions by 2070.
- **The MSE Scheme on Online Dispute Resolution for Delayed Payments:** The scheme to synergise legal support with modern IT tools and Artificial Intelligence to address the incidences of delayed payments for Micro and Small Enterprises.

Other initiatives taken by MSME Ministry

- **The Support for Commercialisation of IP Programme (MSME – SCIP Programme):** It will enable the innovators in the MSME sector to commercialize their IPR.
- **Zero Defect and Zero Effect (ZED) Scheme:** It aims to promote manufacturing without any negative impact on the environment. It has now been made free for women-led MSMEs. The government guarantees payment of 100 percent financial support for the certification cost.

National MSME Council

- The Council has been set up by the MSME Ministry to work as an administrative and functional body of the **World Bank** supported RAMP Programme.
- **Its function** is to oversee inter-Central Ministerial/Departmental coordination, Centre State synergies and advise / monitor progress on the reforms mandated in the MSME sector.

RAMP Programme

- **Raising and Accelerating MSME Performance (RAMP)** is a **World Bank** assisted Central Sector Scheme, supporting various COVID Resilience and Recovery Interventions of the Ministry of Micro, Small and Medium Enterprises (MoMSME).
- **The Programme aims** at improving access to market and credit, strengthening institutions and governance at the Centre and State, improving Centre-State linkages and partnerships, addressing issues of delayed payments and greening of MSMEs.

Source: **PIB**

PRADHAN MANTRI BHARTIYA JANAUSHADHI PARIYOJANA

In Context

- **Pradhan Mantri Bhartiya Janaushadhi Pariyojana (PMBJP)** achieved their target of Rs. 1000 Crore in sales of generic medicines in FY 2023-24.

About

- It was launched in **2008** by the **Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers** under the name **Jan Aushadi Campaign**.
- **Aim:** To provide quality medicines at affordable prices to the masses.
- **Jan Aushadhi Stores:** The initiative involves the establishment of Jan Aushadhi Kendras, or Jan Aushadhi Stores, which serve as retail outlets for the distribution of generic medicines.
- **Progress Made:** There has been more than 100 times growth in the number of Kendras since the scheme has been launched covering almost all the districts of the country.
 - ♦ The Government launched the 10,000th Janaushadhi Kendra at AIIMS, Jharkhand in 2023.
 - ♦ Accordingly, the Government has set a target to open 25,000 Janaushadhi Kendras across the country by March, 2026.

Source: **PIB**