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MIZORAM CM'S STAKE IN MANIPUR CONFLICT

Relevant for: Indian Polity | Topic: State Legislatures - structure, functioning, conduct of business, powers & privileges and issues arising out of these

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Mizoram Chief Minister Zoramthanga and members civil society organisations take part in a demonstration in Aizawl on July 25, 2023 to express solidarity with the Zo people in ethnic strife-torn Manipur. | Photo Credit: PTI

The ruling Mizo National Front (MNF) suffered a setback in central Mizoram in April. The extremist outfit-turned-political party, which won 26 of the 40 Assembly seats in 2018, lost all 11 seats in the Lunglei Municipal Council to the Zoram People's Movement (ZPM).

The ZPM had given the MNF a scare in 2021 by penetrating areas in Chief Minister [Zoramthanga's](#) Assembly seat – Aizawl East-1 – although it bagged six of the 19 Aizawl Municipal Corporation seats. Mr. Zoramthanga, a former extremist hardened by guerilla warfare, is also the president of the MNF.

The Lunglei loss, eight months ahead of the Assembly polls later this year, was an indication for the MNF and Mr. Zoramthanga, battling a fiscal crisis and charges of nepotism, that the 2023 polls may not be a cakewalk.

And then, Manipur happened.

Also read | [Manipur Chief Minister asks Mizoram counterpart to protect Meiteis](#)

Ethnic affiliation is said to have made Mr. Zoramthanga vocal about the Kuki-Meitei ethnic conflict in Manipur that killed some 150 people and displaced about 60,000 since May 3. A drive against drugs and a 'tribal solidarity march' to protest a move for granting Schedule Tribe status to the majority Meiteis were said to be among the triggers.

Mr. Zoramthanga is a Mizo, the dominant community of Mizoram ethnically related to the Kukis and Zomis of Manipur, the Chins of Myanmar, and the Kuki-Chins of Bangladesh. They belong to the greater Zo community, sharing the same ancestry, culture, and tradition and speak almost the same language.

People aware of such ethnic bonding among indigenous communities in the northeast were not surprised when Mizoram protested the violence in Manipur, particularly after a video showing two Kuki women paraded naked in the Meitei-dominated Imphal Valley and allegedly raped went viral in July, two months after it took place on May 4.

Mr. Zoramthanga took the lead in expressing the Mizo angst against the alleged ethnic cleansing of the Kuki-Zo people in Manipur and supporting the demand for a separate administration for them. He tweeted: "...There is bloodshed all over. With no iota of doubt, those victims are my kin, my own blood. Should we quieten the situation by just being silent?"

There was another reason: more than 12,500 displaced Kukis from Manipur had taken shelter in Mizoram, adding to some 40,000 others who fled the conflicts in Myanmar and Bangladesh.

But the strongest of his critics acknowledged that Mr. Zoramthanga stole a march over his rivals in capitalising on Manipur's misery, reportedly keeping the Assembly elections in mind. He won many hearts by walking along with protestors on the streets of Aizawl. It inevitably drew comparisons with the response of other parties to the Manipur issue. While the once-formidable Congress has been facing a leadership issue in Mizoram, ZPM chief Lalduhoma, a former IPS officer, is believed to have lost the Manipur plot.

Mr. Zoramthanga did not just grab the opportunity that Manipur presented him. Holding his Manipur counterpart N. Biren Singh responsible for the ethnic violence, he expressed solidarity with the Kukis of Manipur, thereby – as his critics say – increasing the chances of the MNF to retain power in Mizoram.

Mr. Singh asked Mr. Zoramthanga not to "interfere" in Manipur, expressing his disappointment at his Mizoram counterpart's participation in a rally where abusive slogans were shouted against him. "A CM should not interfere in other States' affairs. I cannot meddle in something happening in Assam or Mizoram without the chief ministers' consent," Mr. Singh said.

Meitei organisations in Manipur have been burning Mr. Zoramthanga's effigies, advising him to focus on his own State. They reminded him of the "atrocities" the Mizos inflict on minority tribes such as the Chakma and the Bru, many of whom fled to Tripura following ethnic violence in 1997. They also pointed out how Mizoram reduced the quota for Chakma students in higher technical courses from 4% to 1%.

Many in Mizoram believe Mr. Zoramthanga's concern for the Kuki-Zomi people in Manipur could force the Manipur government to work toward peace. They also feel the "interference" in the affairs of another State could help the MNF ward off challenges in the 2023 Assembly polls.

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RAJYA SABHA PASSES JAN VISHWAS (AMENDMENT OF PROVISIONS) BILL, 2023 IN PARLIAMENT

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

The Jan Vishwas (Amendment of Provisions) Bill, 2023 was passed in Lok Sabha on 27th June 2023 and Rajya Sabha on 2nd August 2023.

The Bill was first introduced in Lok Sabha on 22nd December 2022. Subsequently, it was referred to the Joint Committee of the Parliament. The Jan Vishwas (Amendment of Provisions) Bill received overwhelming support and insightful suggestions from the Members of the Committee across parties. The Joint Committee on the Jan Vishwas (Amendment of Provisions) Bill, 2022 held detailed discussions with all the 19 Ministries/Departments along with Legislative Department and Department of Legal Affairs. The Committee conducted clause-by-clause examination of the Bill through a series of 9 sittings between 09.01.2023 and 17.02.2023. The Committee finally adopted its Report in its sitting held on 13.03.2023.

The Report of the Committee was laid before Rajya Sabha and Lok Sabha on 17th March 2023 and 20th March 2023 respectively. The Committee recommended a few more amendments in the Bill. Committee also made 7 general recommendations which provide advice and guidance for future decriminalization efforts. One of the recommendations include constitution of a group consisting of legal professionals, industry bodies, members of bureaucracy and regulatory authorities, etc. to examine other acts and carry out exercise similar to the Jan Vishwas (Amendment of Provisions) Bill, 2023. Working group has been constituted as per the recommendation of the Committee.

Through The Jan Vishwas (Amendment of Provisions) Bill, 2023, a total of 183 provisions are being proposed to be decriminalized in 42 Central Acts administered by 19 Ministries/Departments. Decriminalization is proposed to be achieved in the following manner: -

- (i) Both Imprisonment and/or Fine are proposed to be removed in some provisions.
- (ii) Imprisonment is proposed to be removed and fine retained in few provisions.
- (iii) Imprisonment is proposed to be removed and Fine enhanced in few provisions.
- (iv) Imprisonment and Fine are proposed to be converted to Penalty in some provisions.
- (v) Compounding of offences is proposed to be introduced in few provisions.

For effective implementation of the above, the bill proposes measures such as (a) pragmatic revision of fines and penalties commensurate to the offence committed; (b) establishment of Adjudicating Officers; (c) establishment of Appellate Authorities; and (d) Periodic increase in quantum of fine and penalties

It is also ensured that degree and nature of punishment is commensurate with the severity of the offence.

The benefits of the Amendment Bill are outlined as under:

1. The Amendment Bill will contribute to rationalizing criminal provisions and ensuring that citizens, businesses and the government departments operate without fear of imprisonment for minor, technical or procedural defaults.
2. The nature of penal consequence of an offence committed should be commensurate with the seriousness of the offence. This bill establishes a balance between the severity of the offence/violation committed and the gravity of the prescribed punishment. The proposed amendments ensure the adherence to law by businesses and citizens, without losing the rigor of the law.
3. The criminal consequences prescribed for technical/procedural lapses and minor defaults, clog the justice delivery system and puts adjudication of serious offences on the back burner. Some of the amendments proposed in the Bill are to introduce suitable administrative adjudication mechanisms, wherever applicable and feasible. This would go a long way in reducing undue pressure on the justice system, reduce the pendency of cases and help in a more efficient and effective justice dispensation.
4. Decriminalization of provisions which affect citizens and certain categories of government employees will help them live without the fear of imprisonment for minor violations.
5. The enactment of this legislation would be a landmark in the journey of rationalizing laws, eliminating barriers and bolstering growth of businesses. This legislation would serve as a guiding principle for future amendments in various laws. Consolidated amendments in various laws with a common objective will save time and cost for both Government and Businesses alike.

Ministry/Department-wise List of 42 Acts

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D/o Agriculture, & Farmers Welfare

The Marine Products Export Development Authority Act, 1972

D/o Commerce

The Rubber Act, 1947

The Tea Act, 1953

The Spices Board Act, 1986

The Legal Metrology Act, 2009

D/o Consumer Affairs

The Cantonments Act 2006

D/o Defence

The Government Securities Act, 2006

D/o Economic Affairs

The High Denomination Banknotes (Demonetization) Act, 1978

The Public Debt Act, 1944

The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016

M/o Electronics and Information Technology

The Information Technology Act, 2000

The Air (Prevention and Control of Pollution) Act, 1981

M/o Environment, Forest and Climate Change

The Environment Protection Act, 1986

The Indian Forest Act, 1927

The Public Liability Insurance Act, 1994

The Deposit Insurance and Credit Guarantee Corporation Act, 1961

D/o Financial Services

The Factoring Regulation Act, 2011

The National Bank for Agriculture and Rural Development Act, 1981

The National Housing Bank Act, 1987

The Payment and Settlement Systems Act, 2007

The Food Corporations Act, 1964

D/o Food & Public Distribution

The Warehousing Corporation Act, 1962

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The Pharmacy Act, 1948

The Metro Railways (Operation and Maintenance) Act, 2002

M/o Housing & Urban Affairs

The Press and Registration of Books Act, 1867

M/o Information & Broadcasting

The Cinematography Act, 1952

The Cable Television Networks (Regulation) Act, 1995

The Merchant Shipping Act, 1958

M/o Ports, Shipping & Waterways

The Indian Post Office Act, 1898

D/o Posts

The Boilers Act, 1923

Department for Promotion of Industry & Internal Trade

The Copyright Act, 1957

The Geographical Indications of Goods Act, 1999

The Industries (Development and Regulation) Act, 1951

The Patents Act, 1970

The Trade Marks Act, 1999

The Railways Act, 1989

M/o Railways

The Motor Vehicles Act, 1988

M/o Road Transport & Highways

The Prevention of Money-laundering Act, 2002

D/o Revenue

The Collection of Statistics Act, 2008

M/o Statistics & Programme Implementation

Illustrative examples of amendments carried out-

The Indian Post Office Act, 1898

23 Sections related to misconduct, voluntary withdrawal from duty, making false entry in register, defiling or injuring post office letter boxes, etc. are proposed to be omitted. These provisions relate to default by postal employees, other postal workers, employees of other agencies and other individuals. Provisions for appropriate action against such defaulting employees, workers and other individuals can effectively be taken under various Acts and Rules including CCS (CCA) Rules, 1965 or GDS (Conduct and Engagement) Rules, 2020, the Indian Contract Act, 1872 and the Indian Penal Code, 1860.

Indian Forest Act, 1927

This act (Section 26 (1) (d)) had Imprisonment provision for pasturing cattle in Forest land. This provision is being amended by removing imprisonment and fine. Now this contravention will attract penalty. This amendment will benefit tribals/villagers who may unknowingly enter forest land while pasturing cattle. Since the violation is not serious in nature and may not be intentional, imprisonment provisions were not justified. However, deterrence is proposed to be achieved by levying penalty of Rs. 500/-

The Food Corporations Act, 1964 & The Warehousing Corporations Act, 1962

These acts provide imprisonment and fine for using the name of Food/warehouse Corporation without Corporation's consent. Imprisonment (up to 6 months) and fine (1,000) is proposed to be removed for the use of Food/Warehouse Corporation's name in any prospectus or advertisement without Corporation's consent

The Cantonments Act, 2006

This act (Section 289 (5)) had imprisonment provisions for carrying or using non-biodegradable nature-polythene bags in cantonment area. This provision is being removed as most of the times, citizens using polyethene bags may not be aware about them being bio-degradable or not.

Legal Metrology Act, 2009

Giving false information to legal metrology officer, controller or director (Legal Metrology Act, 2009) is proposed to be made compoundable (Section 48)

Motor Vehicles Act, 1988

Contraventions related to driving regulations, obstructing to free flow of traffic and producing false registration document (Motor Vehicles Act, 1988) are proposed to be made compoundable (Section 200 (1)).

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statement or information, destroying, defacing, removing, or mutilating any information. Violations of provisions of this act are not severe in nature and do not cause any damage. These criminal provisions are being removed from the Act now.

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IMPLEMENTATION OF TIME OF DAY ELECTRICITY TARIFF SYSTEM

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

The Union Minister for Power and New & Renewable Energy has informed that the Ministry of Power [vide notification dated 14.06.2023](#) has issued the Electricity (Rights of Consumers) Amendment Rules, 2023 wherein the rule for Time of Day (ToD) Tariff has also been specified. The Minister informed that [the main features of these Rules](#) are as under:

- i. ToD tariff for Commercial and Industrial consumers having maximum demand more than 10 kW shall be made effective from a date not later than 1st April, 2024 and for other consumers except agricultural consumers, the ToD tariff shall be made effective not later than 1st April, 2025.**
- ii. ToD tariff shall be made effective immediately after installation of smart meters for the consumers.**
- iii. ToD tariff, during the peak period of the day, for Commercial and Industrial consumers shall not be less than 1.20 times the normal tariff and for other consumers it shall not be less than 1.10 times the normal tariff.**
- iv. Tariff for solar hours, of the day, to be specified by the State Commission shall be at least twenty percent (20%) less than the normal tariff for that category of consumers.**
- v. ToD tariff shall be applicable on energy charge component of the normal tariff.**
- vi. The duration of peak hours shall not be more than solar hours as notified by the concerned State Electricity Regulatory Commission or State Load Despatch Centre and the duration of solar hours shall be eight hours in a day as specified by the State Commission.**

The Minister informed that the draft Rules were circulated for comments of stakeholders on 20.04.2023. The views/suggestions received were examined and suitably incorporated in the aforesaid Rules.

This information has been given by the Union Minister for Power and New & Renewable Energy Shri R. K. Singh, in a written reply to a question, in Rajya Sabha today, August 2, 2023.

PIB DELHI | AM / DJM

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ii. ToD tariff shall be made effective immediately after installation of smart meters for the consumers.

iii. ToD tariff, during the peak period of the day, for Commercial and Industrial consumers shall not be less than 1.20 times the normal tariff and for other consumers it shall not be less than 1.10 times the normal tariff.

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PIB DELHI | AM / DJM

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STATUS OF IMPLEMENTATION AND COVERAGE OF SAUBHAGYA IN THE COUNTRY

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

The Union Minister for Power and New & Renewable Energy has informed about the status of implementation and coverage of the Pradhan Mantri Sahaj Bijli Har Ghar Yojana - "SAUBHAGYA" in the country.

The Minister informed that the Government of India launched Pradhan Mantri Sahaj Bijli Har Ghar Yojana – SAUBHAGYA in October, 2017 with the objective of achieving universal household electrification, by providing electricity connections to all un-electrified households in rural areas and all poor households in urban areas in the country. Under the aegis of SAUBHAGYA, as on 31.03.2019, all households were reported electrified by the States, except 18,734 households in Left Wing Extremists (LWE) affected areas of Chhattisgarh. Subsequently, seven States namely Assam, Chhattisgarh, Jharkhand, Karnataka, Manipur, Rajasthan and Uttar Pradesh reported around 19.09 lakh un-electrified households, identified before 31.03.2019, which were unwilling earlier but later expressed willingness to get electricity connection. This was also sanctioned. All these seven States had reported 100% household electrification as on 31.03.2021. A total of 2.817 crore households were electrified since the launch of SAUBHAGYA, up to 31.03.2021.

Thereafter, the States reported that some households remained to be electrified, against which, states reported electrification of 4.43 lakh households. Accordingly, a total 2.86 crore households have been electrified. The scheme stands closed on 31.03.2022. As per [the SAUBHAGYA portal](#), a total of 29 states participated during scheme period. The State-wise details of Household electrification in the Country under SAUBHAGYA are as given below.

State-wise electrification of households since launch of Saubhagya Scheme including Additional Households achievement under DDUGJY

Sl. No.

Name of the States

No. of Households electrified from 11.10.2017 to 31.03.2019 as per Saubhagya Portal

Additional Sanction allowed under Saubhagya

Further Additional Households sanctioned under DDUGJY

Grand Total(A+B)

No. of Households reported electrified from 01.04.2019 to 31.03.2021

Total HHs electrified as on 31.03.2021(A)

Households Sanctioned during 2021-22

Households electrified(as on 31.03.2022)(B)

1

Andhra Pradesh*

181,930

0

181,930

181,930

2

Arunachal Pradesh

47,089

0

47,089

7859

0

47,089

3

Assam

1,745,149

200,000

1,945,149

480249

381507

2,326,656

4

Bihar

3,259,041

0

3,259,041

3,259,041

5

Chhattisgarh

749,397

40,394

789,791

21981

2577

792,368

6

Gujarat*

41,317

0

41,317

41,317

7

Haryana

54,681

0

54,681

54,681

8

Himachal Pradesh

12,891

0

12,891

12,891

9

Jammu & Kashmir

377,045

0

377,045

377,045

10

Jharkhand

1,530,708

200,000

1,730,708

1,730,708

11

Karnataka

356,974

26,824

383,798

383,798

12

Ladakh

10,456

0

10,456

10,456

13

Madhya Pradesh

1,984,264

0

1,984,264

99722

0

1,984,264

14

Maharashtra

1,517,922

0

1,517,922

1,517,922

15

Manipur

102,748

5,367

108,115

21135

0

108,115

16

Meghalaya

199,839

0

199,839

420

401

200,240

17

Mizoram

27,970

0

27,970

27,970

18

Nagaland

132,507

0

132,507

7009

7009

139,516

19

Odisha

2,452,444

0

2,452,444

2,452,444

20

Puducherry*

912

0

912

912

21

Punjab

3,477

0

3,477

3,477

22

Rajasthan

1,862,736

212,786

2,075,522

210843

52206

2,127,728

23

Sikkim

14,900

0

14,900

14,900

24

Tamil Nadu*

2,170

0

2,170

2,170

25

Telangana

515,084

0

515,084

515,084

26

Tripura

139,090

0

139,090

139,090

27

Uttar Pradesh

7,980,568

1,200,003

9,180,571

334652

0

9,180,571

28

Uttarakhand

248,751

0

248,751

248,751

29

West Bengal

732,290

0

732,290

732,290

Total

26,284,350

1,885,374

28,169,724

1,183,870

443,700

28,613,424

*Electrified prior to Saubhagya and not funded under Saubhagya

This information has been given by the Union Minister for Power and New & Renewable Energy Shri R. K. Singh, in a written reply to a question, in Rajya Sabha today, August 2, 2023.

PIB DELHI | AM / DJM

The Union Minister for Power and New & Renewable Energy has informed about the status of implementation and coverage of the Pradhan Mantri Sahaj Bijli Har Ghar Yojana - "SAUBHAGYA" in the country.

The Minister informed that the Government of India launched Pradhan Mantri Sahaj Bijli Har Ghar Yojana – SAUBHAGYA in October, 2017 with the objective of achieving universal household electrification, by providing electricity connections to all un-electrified households in rural areas and all poor households in urban areas in the country. Under the aegis of SAUBHAGYA, as on 31.03.2019, all households were reported electrified by the States, except 18,734 households in Left Wing Extremists (LWE) affected areas of Chhattisgarh. Subsequently, seven States namely Assam, Chhattisgarh, Jharkhand, Karnataka, Manipur, Rajasthan and Uttar Pradesh reported around 19.09 lakh un-electrified households, identified before 31.03.2019, which were unwilling earlier but later expressed willingness to get electricity connection. This was also sanctioned. All these seven States had reported 100% household electrification as on 31.03.2021. A total of 2.817 crore households were electrified since the launch of SAUBHAGYA, up to 31.03.2021.

Thereafter, the States reported that some households remained to be electrified, against which, states reported electrification of 4.43 lakh households. Accordingly, a total 2.86 crore households have been electrified. The scheme stands closed on 31.03.2022. As per [the SAUBHAGYA portal](#), a total of 29 states participated during scheme period. The State-wise details of Household electrification in the Country under SAUBHAGYA are as given below.

State-wise electrification of households since launch of Saubhagya Scheme including Additional Households achievement under DDUGJY

Sl. No.

Name of the States

No. of Households electrified from 11.10.2017 to 31.03.2019 as per Saubhagya Portal

Additional Sanction allowed under Saubhagya

Further Additional Households sanctioned under DDUGJY

Grand Total(A+B)

No. of Households reported electrified from 01.04.2019 to 31.03.2021

Total HHs electrified as on 31.03.2021(A)

Households Sanctioned during 2021-22

Households electrified(as on 31.03.2022)(B)

1

Andhra Pradesh*

181,930

0

181,930

181,930

2

Arunachal Pradesh

47,089

0

47,089

7859

0

47,089

3

Assam

1,745,149

200,000

1,945,149

480249

381507

2,326,656

4

Bihar

3,259,041

0

3,259,041

3,259,041

5

Chhattisgarh

749,397

40,394

789,791

21981

2577

792,368

6

Gujarat*

41,317

0

41,317

41,317

7

Haryana

54,681

0

54,681

54,681

8

Himachal Pradesh

12,891

0

12,891

12,891

9

Jammu & Kashmir

377,045

0

377,045

377,045

10

Jharkhand

1,530,708

200,000

1,730,708

1,730,708

11

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Nagaland

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0

132,507

7009

7009

139,516

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Odisha

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0

2,452,444

2,452,444

20

Puducherry*

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0

912

912

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Punjab

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0

3,477

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22

Rajasthan

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28,613,424

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INCREMENTAL INJUSTICE: THE HINDU EDITORIAL ON THE GYANVAPI MOSQUE SURVEY

Relevant for: Governance | Topic: null

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August 05, 2023 12:20 am | Updated 12:20 am IST

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In [upholding](#) the conduct of [a survey by the Archaeological Survey of India \(ASI\) at the Gyanvapi mosque](#), the Allahabad High Court may have endorsed a surreptitious attempt to alter the character of the place of worship. Both the High Court and the Varanasi District Court, which [ordered the ASI survey on July 21](#), had held earlier that the suit filed by some Hindu devotees to assert their right to worship some deities and images within the mosque precincts was not barred by the [Places of Worship \(Special Provisions\) Act, 1991](#), which froze the status of all places of worship as on August 15, 1947. The reason given was that the suit was solely for the right to worship and not to seek any declaration that the building was a temple. In brazen contradiction to this stand, the worshippers filed applications seeking a scientific survey by archaeologists to ascertain whether the Gyanvapi mosque was built on the demolished structure of a Hindu temple. Both courts have endorsed this strategy of gathering official evidence, currently not available to the plaintiffs, through the ASI. The District Court's order merely said a scientific report would bring out the "true facts" about this case and help it arrive at a just and reasonable conclusion. The High Court has dismissed all objections, including the ones that said the court cannot ask for expert evidence even before the issues to be tried were framed, and that it cannot gather evidence on behalf of the plaintiffs.

The courts have not dealt with the question why it is necessary to determine the date of pillars and walls and make a list of artefacts, when the main prayer in the suit is for the right to worship Ma Sringar Gauri, Ganesh, Hanuman and other "visible and invisible" deities. The entire case is based on the assertion that Hindu deities were being worshipped at the site before and after August 15, 1947. And that daily worship of these deities was going on till 1990, and that after 1993, it is permitted one day every year. The plea for a survey and the intent to rake up the question of an earlier structure under the mosque indicate a design to create conditions for seeking an alteration to its status. An earlier order asking an Advocate-Commissioner to study the premises led to a claim that what was likely a sprinkler or fountain was a 'shivlingam'. It is unfortunate that the courts are encouraging motivated litigation directed at Muslim places of worship. Each time such an application is filed, it raises the spectre of incremental injustice from an abuse of the legal process.

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DEMOLITIONS AS STATE-SANCTIONED COLLECTIVE PUNISHMENT

Relevant for: Developmental Issues | Topic: Important Aspects of Governance, Transparency & Accountability including Right to Information and Citizen Charter

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August 11, 2023 12:16 am | Updated 01:16 am IST

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'No amount of populist satisfaction can justify such an action' | Photo Credit: PTI

The aftermath of the recent violence in Nuh, Haryana, saw what is now a familiar pattern: immediately after the violence, the local administration, backed by the state, demolished a number of homes in localities or neighbourhoods. These were the homes and neighbourhoods, a few political officials claimed, to which the accused rioters belonged.

The demolitions in Nuh are just the latest iteration of what has come to be called “bulldozer justice”. For more than a year, from Khargone in Madhya Pradesh, to Khambhat in Gujarat, to Jahangirpuri in Delhi, to Nagaon in Assam, to many others, the demolition of homes as a form of frontier justice (as a response to political violence) has become a standard feature of administration.

In carrying out the demolitions, the state and its officials speak with a forked tongue. The public and official justification is that the demolitions are carried out in order to remove “illegal structures” or “encroachments”. Municipal laws that authorise the removal of unauthorised structures are invoked as the legal cover for such action. This is the justification the state sticks to when it is challenged in court. However, even as it does so, politicians, and at times, even officials of the administration, go on record to say that the purpose of the demolitions is to “teach a lesson” to alleged rioters.

Editorial | [Communal punishment: On riots and demolitions](#)

First, it is important to note that the state’s public justification fails on its own terms. Over the years, the courts have recognised that what we euphemistically refer to as “unauthorised structures” are often the dwelling places of economically marginalised and vulnerable people, who have been failed by the state in its obligation to provide shelter to all its citizens. Consequently, other than enforcing basic procedural requirements — such as adequate notice — courts have also insisted that before demolitions are carried out, the administration must conduct a survey to check whether the residents are eligible for rehabilitation schemes, and if so, complete their rehabilitation (through a process of meaningful engagement) before any demolitions are done.

Rehabilitation, in turn, does not simply mean picking up people from one part of the town and dumping them in another, but ensuring that there is no substantial disruption to their (already) precarious lives.

The basic purpose is to ensure that the state does not simply make its own citizens homeless, and with no recourse. Doing so is a marker of an uncivilised society.

It is obvious that the instant demolitions that we see do not comply with these procedural or substantive requirements. Last year, it was found that notice in a demolition case was actually back-dated by the administration to give an appearance of complying; in the Nuh demolitions, there have been widespread allegations that the notice and the demolitions were carried out on the same day. The state's attempts to provide a fig-leaf of legitimacy to its demolitions, therefore, fall away at the slightest scrutiny.

But at the end of the day, everyone knows that what is happening is not a dispute over municipal law, zoning regulations, and "unauthorised" structures. It is clear that what is happening is state-sanctioned collective punishment, which is predominantly targeted against specific communities. Instead of engaging the machinery of law enforcement and justice — which is what states bound by the rule of law do — the state prefers to mete out a form of frontier justice, enforcing order through violence, and itself becoming the law-breaker.

This is evident from the fact that, as pointed out above, politicians, administrators, and even on occasion the police have stated that the true purpose of demolitions is to target the homes of alleged rioters. It is evident from the timing of the demolitions, coming instantly after cases of violence. It is evident from the fact that the reality of our urban design is such that zoning regulations are dead letters: as people have repeatedly pointed out, a good part of Delhi's most affluent neighbourhoods has been built in violation of zoning regulations. Somehow, however, it is not these colonies that face the bulldozer, but the vulnerable and the marginalised. And it is evident from the fact that the demolitions have happened predominantly in Muslim neighbourhoods, in the aftermath of communal violence.

This has, admittedly, not always been the case: in Uttar Pradesh, demolitions have been carried out against the properties of various "gangsters", and in last year's Jahangirpuri violence, a Hindu man's shop was demolished for no perceivable reason. However, it has been repeatedly noticed — and Nuh is the most recent example — that when the bulldozers run, it is primarily in Muslim neighbourhoods. This pattern has now become impossible to ignore: just a few days ago, when issuing a stay order on the Nuh demolitions, the High Court of Punjab and Haryana observed that what was going on had the appearance of ethnic cleansing. Ethnic cleansing is not a phrase that should ever be used lightly, and the tragedy is that in this case, its use was undoubtedly apposite.

Bulldozer justice might satisfy the anger of people who have been caught up in riots, and who are accustomed to seeing the criminal justice system grind on for years without result. Indeed, whether it is extra-judicial killings or home demolitions, this is indeed the justification that is trotted out: that the courts are too slow, too prone to giving bail, and too indulgent in handing out acquittals. Therefore, in order to assuage public anger, the state must take it upon itself to deliver "justice" outside the bounds of law.

It should be obvious that this is dangerous and destructive logic. Bulldozer justice is a form of collective punishment, where punishment is not only meted out before guilt is proven, but along with the supposedly guilty individual, their innocent family members are also punished. No amount of populist satisfaction can justify such an action.

Furthermore, punishment without guilt — punishment at the discretion of the state — violates the rule of law. The rule of law is all that stands between a marauding state and the basic safety of individuals. Abandoning the rule of law for frontier justice is the first step towards an authoritarian society where one's safety, physical possessions, and even life and liberty, will be at the whims and fancies of state officials.

In this context, it falls to the courts to enforce the rule of law and the Constitution. Unfortunately, for more than a year, the courts have been silent; even the Supreme Court of India has, when faced with this situation, purported to accept the state's justification of going after "unauthorised structures." In doing so, the courts have, to use the words of George Orwell, chosen to "reject the evidence of their eyes and ears." The High Court of Punjab and Haryana's order marks the first time that the judiciary has taken active notice of this pattern of lawless bulldozer "justice". One hopes that it is the beginning of the judiciary reinforcing basic constitutional principles and values against state impunity.

Gautam Bhatia is a Delhi-based lawyer

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UNION HOME MINISTER AND MINISTER OF COOPERATION, SHRI AMIT SHAH INTRODUCES THE BHARTIYA NYAYA SANHITA BILL 2023, THE BHARATIYA NAGARIK SURAKSHA SANHITA BILL, 2023 AND THE BHARATIYA SAKSHYA BILL, 2023 IN THE LOK SABHA, TODAY

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

One of the five PRAN taken by the Prime Minister Shri Narendra Modi before the country on August 15 was – to end all signs of slavery – today's three bills are going to fulfil this one vow of Shri Modi

Today, we have brought 3 new Bills by repealing Indian Penal Code, 1860, Criminal Procedure Code, (1898), 1973 and Indian Evidence Act, 1872, which were enacted by the British and passed by the British Parliament

Indian Penal Code, 1860 will be replaced by Bharatiya Nyaya Sanhita Bill, 2023, the Criminal Procedure Code, 1898 will be replaced by the Bhartiya Nagarik Suraksha Sanhita Bill, 2023 and the Indian Evidence Act, 1872 will be replaced by the Bharatiya Sakshya Bill, 2023

These three outgoing laws were made to strengthen and protect the British rule and their purpose was to punish, not to give justice

The soul of the three new laws will be to protect all the rights given to Indian citizens by the constitution, and, their purpose

will not be to punish but give justice

These three laws made with Indian thought process will bring a huge change in our criminal justice system

Modi government has brought this law by taking a very principled decision to bring citizens at the centre, instead of governance

Prime Minister Shri Narendra Modi had said in 2019, all the laws made during the time of the British across all the departments, should be made in accordance with today's time and in the interest of the Indian society after adequate discussion and consideration

18 States, 6 Union Territories, the Supreme Court, 16 High Courts, 5 Judicial Academies, 22 Law Universities, 142 Members of Parliament, around 270 MLAs and public have given their suggestions on these new laws

The Home Minister said, for 4 years intense discussions were held on these laws and he himself was present in 158 consultation meetings

Bhartiya Nagarik Suraksha Sanhita Bill, which will replace CrPC, now has 533 sections, 160 sections of old law have been changed, 9 new sections have been added and 9 sections have been repealed

Bharatiya Nyaya Sanhita Bill 2023, which will replace the Indian

Penal Code, will have 356 sections instead of the earlier 511 sections, 175 sections have been changed, 8 new sections have been added and 22 sections have been repealed

Bharatiya Sakshya Bill, which will replace the Evidence Act, will now have 170 sections instead of the earlier 167, 23 sections have been changed, 1 new section has been added and 5 have been repealed

These three old laws had signs of slavery, they were passed by the British Parliament, today we have come up with new laws by removing these signs of slavery from a total of 475 places

The law expands the definition of documents to include electronic or digital records, e-mails, server logs, computers, smart phones, laptops, SMS, websites, locational evidence, mails, messages on devices

Provision has been made in this law to digitize the entire process from FIR to case diary, case diary to charge sheet and charge sheet to judgement

Videography has been made compulsory at the time of search and seizure which will be part of the case and will not implicate innocent citizens, without such recording by the police no charge sheet will be valid

Prime Minister Shri Narendra Modi took a historic decision to set up the National Forensic Science University to promote forensic science in a bid to increase the conviction ratio

After three years, every year 33,000 forensic science experts and scientists will be available in the country, the target has been set in the law to take the conviction ratio above 90%

The visit of the forensic team is being made compulsory on the crime scene of crimes having provision for punishment of 7 years or more, through this, the police will have a scientific evidence, after which the chances of acquittal of the culprits in the court will be very less

Modi government is going to start Zero FIR for the first time after 75 years of the Independence for the convenience of the citizens, with this initiative, the citizens will be able to lodge complaint even outside of their police station area

Provision of e-FIR is being added for the first time, every district and police station will designate a police officer who will officially inform the family of the arrested person about his arrest online and in person

The statement of the victim has been made compulsory in the cases of sexual violence and the video recording of the statement has also been made compulsory in the cases of sexual harassment

It will be compulsory for the Police to give the status of the complaint in 90 days and thereafter every 15 days, to the complainant

No government will be able to withdraw a case of imprisonment of 7 years or more without listening to the victim, this will protect the rights of the citizens

Scope of summary trial has been increased in petty cases, now crimes punishable up to 3 years will be included in summary trial, with this provision alone, over 40% of cases in sessions courts will end

A time limit of 90 days is fixed for filing the charge sheet and depending on the situation, the court can further give permission for 90 more days, the investigation will have to be completed within 180 days and trial should begin

Courts will now be bound to give notice of framing of charge to the accused person within 60 days, within 30 days after the completion of arguments, the Hon'ble Judge will have to give verdict, this will not keep the decision pending for years and the order will have to be made available online, within 7 days

Government has to decide on permission within 120 days for trial against civil servant or police officer else it will be treated as deemed permission and trial will be started

A provision has been brought for attachment of property of declared offenders, a new provision of harsh punishment against inter-state gangs and organized crimes is also being added to this law

Sex on the pretext of false promise of marriage, employment, promotion and false identity has been made a crime for the first

time, 20 years of imprisonment or life imprisonment in all cases of gang rape

Provision of death penalty has also been made in case of crime with girls below 18 years of age, for mob lynching also, all three provisions of 7 years in jail, life imprisonment and capital punishment have been made

Earlier, there was no provision for snatching of mobile phone or chain from women, but now a provision has been made for the same

Provision has been made for imprisonment for 10 years or life imprisonment in case of permanent disability or being brain dead

Punishment increased from 7 to 10 years for a person committing crime with children, provision has been made to increase the amount of fine in many crimes

There were many cases of using pardon for political gains, now the death penalty can only be changed to life imprisonment, life imprisonment to a minimum of 7 years and 7 years to a minimum of 3 years, no culprit will be freed

Modi government is going to repeal sedition law completely because India is a democracy and everyone has the right to speak

Earlier, there was no definition of terrorism, now crimes like

armed insurgency, subversive activities, separatism, challenging the unity, sovereignty and integrity of India have been defined in this law for the first time

A historic decision regarding trial in absentia has been taken, a person declared fugitive by a Sessions Court judge will be tried and sentenced in his absence, no matter where in the world he may be hiding, if the fugitive has to appeal against punishment, he will have to follow Indian law

A total of 313 changes have been made in this law which will bring a widespread change in India's criminal justice system, now anyone will be able to get justice within a maximum of 3 years

In this law, special care has been taken of women and children, it has been ensured that criminals are punished and the police cannot misuse their powers

On one hand, laws like sedition have been repealed, on the other hand, provision of punishment for heinous crimes like exploiting women by cheating and mob lynching have been made, provisions also made for crack down on organized crimes and terrorism

Union Home Minister and Minister of Cooperation, Shri Amit Shah introduced the Bharatiya Nyaya Sanhita Bill, 2023, Bharatiya Nagarik Suraksha Sanhita Bill, 2023 and Bharatiya Sakhshya Bill, 2023 in the Lok Sabha, today.

Shri Amit Shah said that today the Azadi ka Amrit Mahotsav is culminating and Amrit Kaal is beginning. Azadi ka Amrit Mahotsav will end on August 15 and the journey of 75 to 100 years of independence will begin from August 16, which will create a great India. He said that in his address from the ramparts of the Red Fort on August 15, Prime Minister Shri Narendra Modi had kept Panch Pran in front of the people of the country, one of them isto end all signs of slavery. He said that these three bills introduced today are in a way fulfilling one of the five vows taken

by Modi Ji. All these three bills have basic laws for the criminal justice system. He said that today we have brought three new laws by abolishing the Indian Penal Code, 1860, Criminal Procedure Code, (1898), 1973 and the Indian Evidence Act, 1872 made by the British and passed by the British Parliament. The Indian Penal Code, 1860 will be replaced by the Bharatiya Nyaya Sanhita Bill, 2023, the Criminal Procedure Code, 1898 will be replaced by the Bharatiya Nagarik Suraksha Sanhita Bill, 2023 and the Indian Evidence Act, 1872 will be replaced by the Bharatiya Sakshya Bill, 2023. These three Acts which will be replaced, were made to strengthen and protect the British rule and their purpose was to punish, not to give justice. We are going to bring changes in both these fundamental aspects. The soul of these three new laws will be to protect all the rights given by the Constitution to the Indian citizens. The objective will not be to punish anyone but give justice and in this process punishment will be given where it is required to create a sense of prevention of crime.

Union Home Minister assured the Lok Sabha that from 1860 to 2023, the criminal justice system of India continued to be operated on the basis of the laws made by the British Parliament, but now these three laws will be replaced with new laws imbuing the Indian soul, which will bring a big change in our criminal justice system. He said that in the current laws heinous crimes like murder or crime against women were placed very low and crimes like treason, robbery and attack on the official of the government were kept above these. He said that we are changing this approach and the first chapter in these new laws will be on crimes against women and children. The second chapter will be on murder/homicide and criminality with human body. We have brought this law by taking a very principled decision of bringing the citizen at the centre instead of governance.

Shri Amit Shah said that a long process has been followed in making of these laws. He said that in 2019, Prime Minister Shri Narendra Modi had guided all of us that all the laws made during the time of the British across all the departments should be discussed and reviewed in accordance to the present times and in the interest of the Indian society. He said that extensive consultation has been done everywhere to make these laws. He said that in August 2019, he had written letters to all the judges of the Supreme Court, the Chief Justices of all the High Courts of the country and all the law universities of the country. In 2020, letters were written to all MPs, Chief Ministers, Governors and Administrators of Union Territories. After extensive consultation, today this process is going to become a law. He said that 18 States, 6 Union Territories, Supreme Court, 16 High Courts, 5 Judicial Academies, 22 Law Universities, 142 Members of Parliament, about 270 MLAs and public have given their suggestions regarding these new laws. Shri Shah said that for 4 years these were discussed in depth and he himself was present in 158 meetings.

Union Home Minister said that Bharatiya Nagarik Suraksha Sanhita Bill, which will replace CrPC, will now have 533 sections, 160 sections have been changed, 9 new sections have been added and 9 sections have been repealed. The Bharatiya Nyaya Sanhita Bill, which will replace the IPC, will have 356 sections instead of the earlier 511 sections, 175 sections have been amended, 8 new sections have been added and 22 sections have been repealed. The Bharatiya Sakshya Bill, which will replace the Evidence Act, will now have 170 sections instead of the earlier 167, 23 sections have been changed, 1 new section has been added and 5 repealed.

Shri Amit Shah said that these three old laws were full of signs of slavery, they were passed by the British Parliament and we only adopted them. These laws refer to Parliament of the United Kingdom, Provincial Acts, Notifications by the Crown Representative, London Gazette, Jury and Barristers, Lahore Government, Commonwealth Resolutions, United Kingdom of Great Britain and Ireland Parliament. These laws include the references to Her Majesty's and by the Privy Council, these laws were based on the Copies and Extracts Content in the London Gazette and Possession of the British Crown, Court of Justice in England and Her Majesty's Dominions are

also mentioned at many places in these laws. He said that by ending these 475 signs of slavery, we have brought new laws today. We have tried to connect the new era with these laws. Our criminal justice system takes a long time, justice is delivered so late that justice has no meaning, people have lost faith and are afraid to approach the court.

Home Minister said that the state-of-the-art technologies have been incorporated in these laws. The definition of documents has been expanded to include electronic or digital records, e-mails, server logs, computers, smart phones, laptops, SMS, websites, locational evidence, mails and messages available on devices, which can be used in courts, which will give freedom from the pile of papers. He said that provision has been made in this law to digitize the entire process from FIR to case diary, case diary to charge sheet and from charge sheet to judgement. At present, only the appearing of the accused in court can be done through video conferencing, but now the entire trial, including cross questioning, will be done through video conferencing. Examination of complainant and witnesses, investigation and recording of evidence in trial and High Court trial and entire appellate proceedings will now be possible digitally. We have made it after discussing with National Forensic Science University and scholars and technical experts from all over the country on this subject. We have made videography compulsory at the time of search and seizure, which will be part of the case and this will save the innocent citizens from being implicated. No charge sheet will be valid without such recording by the police.

Union Home Minister said that even after 75 years of independence, our conviction rate is very low, that is why we have worked to promote forensic science. Prime Minister Shri Narendra Modi has taken a historic decision to establish National Forensic Science University. After three years, the country will get 33,000 forensic science experts and scientists every year. In this law, we have set a target to take the conviction ratio above 90 percent. For this, an important provision has been provided which will make the visit of the forensic team to the crime scene compulsory for offenses punishable for 7 years or more. Through this, the police will have scientific evidence, after which the chances of acquittal of the culprits in the court will be significantly reduced. We will computerize all the courts in the country before the year 2027. Similarly mobile forensic vans have also been experienced. In Delhi, we have done a successful experiment that the FSL team visits the scene of any crime with a provision of punishment of more than 7 years. For this we have launched the concept of Mobile FSL which is a successful concept and there will be 3 mobile FSLs in every district and will go to crime scene.

Shri Amit Shah said that for the first time after 75 years of independence, we are starting Zero FIR to ensure the convenience of the citizens. Wherever the crime may have happened, the citizens will be able to lodge complaint even outside of their police station area. Within 15 days of the registration of crime, it will have to be forwarded to the concerned police station. For the first time we are adding the provision of e-FIR. Every district and police station will designate a police officer who will inform online and in person about the arrest to the family of the arrested person. Shri Shah said that the statement of the victim has been made compulsory in the case of sexual violence and video recording of the statement has also been made compulsory in the case of sexual harassment. It will be compulsory for the police to give the status of the complaint to the complainant in 90 days and thereafter in every 15 days. No government will be able to withdraw a case of imprisonment of 7 years or more without hearing the victim, this will protect the rights of the citizens. Under this law, for the first time, we are bringing community service as a punishment. The scope of summary trial in small cases has also been increased, now offenses punishable up to 3 years will be included in summary trial, with this provision alone more than 40 percent cases in sessions courts will be finished. A time limit of 90 days has been fixed for filing the charge sheet and depending on the situation, the court will be able to give permission for further 90 days. In this way, within 180 days the investigation will have to be completed and will be forwarded for trial. Courts will now be bound to give notice of framing of charges to the accused person within 60 days. The Hon'ble Judge will have to give the decision

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Union Home Minister said that the government will have to decide on the permission for trial against a civil servant or police officer within 120 days, otherwise it will be treated as deemed permission and the trial will be started. We have made another big revolutionary change, the SP who is currently working, will testify after seeing the same file, the earlier concerned officer was not required to come, which will provide quick testimony and justice will also be delivered soon. Apart from this, we have also brought a provision for attachment of the property of declared criminals. We are also adding a new provision of different type of harsh punishment against inter-state gangs and organized crimes in this law. We have also made many provisions to deal with crime and social problems against women. For the first time, a provision has been made to criminalize sexual intercourse on the basis of false promises of marriage, employment and promotion and on the basis of false identity. In all cases of gang rape, a provision of 20 years of punishment or life imprisonment has been made, which is not being implemented today. In the case of girls below 18 years of age, a provision of death penalty has also been kept. For mob lynching all three provisions of 7 years, life imprisonment and death penalty have been kept. There was no provision for mobile phone or chain snatching from women, but now provision has been kept for the same.

Shri Amit Shah said that there was a provision of punishment of 7 years in both the cases of grave injury and in case of minor injury, we have separated both. He said that in case of permanent disability or brain dead, a provision has been made for punishment of 10 years or life imprisonment. The punishment for offenses against children has been increased from 7 years to 10 years. Provision has also been made to increase the amount of fine in many crimes. There is also a provision of 10 years of imprisonment for criminals who run away from custody. There were many cases of using pardon from sentences for political gains, now the death penalty can be changed to life imprisonment, life imprisonment to a minimum of 7 years and 7 years to a minimum of 3 years, no culprit will be spared.

Union Home Minister said that the Modi government is going to end sedition completely because India has a democracy and everyone has the right to speak. Earlier there was no definition of terrorism, but now crimes like secession, armed insurgency, subversive activities, separatism, crimes like challenging the unity, sovereignty and integrity of India have been defined in this law for the first time and the rights have been given to confiscate the properties of those related to these crimes. The court will order this on the cognizance of the investigating police officer. Shri Shah said that the Modi government has taken a historic decision regarding trial in absentia. The Sessions Court Judge, after due process, will try and sentence a person declared a fugitive in absentia, no matter where in the world he may be hiding. He will have recourse to Indian law and court to appeal against the sentence.

Shri Amit Shah said that a large number of case properties are lying in police stations across the country, these can be disposed of by videography and submitting the verified copy to the court. He said that a total of 313 changes have been made in this law which will bring a widespread change in our criminal justice system and anyone will be able to get justice within a maximum of 3 years. Shri Shah said that special care has been taken of women and children in this law, it has been ensured that the criminals are punished and such provisions have also been made to prevent the police from misusing their powers. On the one hand, laws like sedition have been repealed, on the other hand, provision of punishment for exploiting women by cheating and heinous crimes like mob lynching, and cracking down on organized crimes and terrorism has also been done.

RK/AY/AKS/RR

One of the five PRAN taken by the Prime Minister Shri Narendra Modi before the country on August 15 was – to end all signs of slavery – today's three bills are going to fulfil this one vow of Shri Modi

Today, we have brought 3 new Bills by repealing Indian Penal Code, 1860, Criminal Procedure Code, (1898), 1973 and Indian Evidence Act, 1872, which were enacted by the British and passed by the British Parliament

Indian Penal Code, 1860 will be replaced by Bharatiya Nyaya Sanhita Bill, 2023, the Criminal Procedure Code, 1898 will be replaced by the Bhartiya Nagarik Suraksha Sanhita Bill, 2023 and the Indian Evidence Act, 1872 will be replaced by the Bharatiya Sakshya Bill, 2023

These three outgoing laws were made to strengthen and protect the British rule and their purpose was to punish, not to give justice

The soul of the three new laws will be to protect all the rights given to Indian citizens by the constitution, and, their purpose will not be to punish but give justice

These three laws made with Indian thought process will bring a huge change in our criminal justice system

Modi government has brought this law by taking a very principled decision to bring citizens at the centre, instead of governance

Prime Minister Shri Narendra Modi had said in 2019, all the laws made during the time of the British across all the departments, should be made in accordance with today's time and in the interest of the Indian society after adequate discussion and consideration

18 States, 6 Union Territories, the Supreme Court, 16 High Courts, 5 Judicial Academies, 22 Law Universities, 142 Members of Parliament, around 270 MLAs and public have given their suggestions on these new laws

The Home Minister said, for 4 years intense discussions were held on these laws and he himself was present in 158 consultation meetings

Bhartiya Nagarik Suraksha Sanhita Bill, which will replace CrPC, now has 533 sections, 160 sections of old law have been changed, 9 new sections have been added and 9 sections have been repealed

Bharatiya Nyaya Sanhita Bill 2023, which will replace the Indian Penal Code, will have 356 sections instead of the earlier 511 sections, 175 sections have been changed, 8 new sections have been added and 22 sections have been repealed

Bharatiya Sakshya Bill, which will replace the Evidence Act, will now have 170 sections instead of the earlier 167, 23 sections

have been changed, 1 new section has been added and 5 have been repealed

These three old laws had signs of slavery, they were passed by the British Parliament, today we have come up with new laws by removing these signs of slavery from a total of 475 places

The law expands the definition of documents to include electronic or digital records, e-mails, server logs, computers, smart phones, laptops, SMS, websites, locational evidence, mails, messages on devices

Provision has been made in this law to digitize the entire process from FIR to case diary, case diary to charge sheet and charge sheet to judgement

Videography has been made compulsory at the time of search and seizure which will be part of the case and will not implicate innocent citizens, without such recording by the police no charge sheet will be valid

Prime Minister Shri Narendra Modi took a historic decision to set up the National Forensic Science University to promote forensic science in a bid to increase the conviction ratio

After three years, every year 33,000 forensic science experts and scientists will be available in the country, the target has been set in the law to take the conviction ratio above 90%

The visit of the forensic team is being made compulsory on the

crime scene of crimes having provision for punishment of 7 years or more, through this, the police will have a scientific evidence, after which the chances of acquittal of the culprits in the court will be very less

Modi government is going to start Zero FIR for the first time after 75 years of the Independence for the convenience of the citizens, with this initiative, the citizens will be able to lodge complaint even outside of their police station area

Provision of e-FIR is being added for the first time, every district and police station will designate a police officer who will officially inform the family of the arrested person about his arrest online and in person

The statement of the victim has been made compulsory in the cases of sexual violence and the video recording of the statement has also been made compulsory in the cases of sexual harassment

It will be compulsory for the Police to give the status of the complaint in 90 days and thereafter every 15 days, to the complainant

No government will be able to withdraw a case of imprisonment of 7 years or more without listening to the victim, this will protect the rights of the citizens

Scope of summary trial has been increased in petty cases, now crimes punishable up to 3 years will be included in summary trial, with this provision alone, over 40% of cases in sessions

courts will end

A time limit of 90 days is fixed for filing the charge sheet and depending on the situation, the court can further give permission for 90 more days, the investigation will have to be completed within 180 days and trial should begin

Courts will now be bound to give notice of framing of charge to the accused person within 60 days, within 30 days after the completion of arguments, the Hon'ble Judge will have to give verdict, this will not keep the decision pending for years and the order will have to be made available online, within 7 days

Government has to decide on permission within 120 days for trial against civil servant or police officer else it will be treated as deemed permission and trial will be started

A provision has been brought for attachment of property of declared offenders, a new provision of harsh punishment against inter-state gangs and organized crimes is also being added to this law

Sex on the pretext of false promise of marriage, employment, promotion and false identity has been made a crime for the first time, 20 years of imprisonment or life imprisonment in all cases of gang rape

Provision of death penalty has also been made in case of crime with girls below 18 years of age, for mob lynching also, all three provisions of 7 years in jail, life imprisonment and capital punishment have been made

Earlier, there was no provision for snatching of mobile phone or chain from women, but now a provision has been made for the same

Provision has been made for imprisonment for 10 years or life imprisonment in case of permanent disability or being brain dead

Punishment increased from 7 to 10 years for a person committing crime with children, provision has been made to increase the amount of fine in many crimes

There were many cases of using pardon for political gains, now the death penalty can only be changed to life imprisonment, life imprisonment to a minimum of 7 years and 7 years to a minimum of 3 years, no culprit will be freed

Modi government is going to repeal sedition law completely because India is a democracy and everyone has the right to speak

Earlier, there was no definition of terrorism, now crimes like armed insurgency, subversive activities, separatism, challenging the unity, sovereignty and integrity of India have been defined in this law for the first time

A historic decision regarding trial in absentia has been taken, a person declared fugitive by a Sessions Court judge will be tried and sentenced in his absence, no matter where in the world he

may be hiding, if the fugitive has to appeal against punishment, he will have to follow Indian law

A total of 313 changes have been made in this law which will bring a widespread change in India's criminal justice system, now anyone will be able to get justice within a maximum of 3 years

In this law, special care has been taken of women and children, it has been ensured that criminals are punished and the police cannot misuse their powers

On one hand, laws like sedition have been repealed, on the other hand, provision of punishment for heinous crimes like exploiting women by cheating and mob lynching have been made, provisions also made for crack down on organized crimes and terrorism

Union Home Minister and Minister of Cooperation, Shri Amit Shah introduced the Bharatiya Nyaya Sanhita Bill, 2023, Bharatiya Nagarik Suraksha Sanhita Bill, 2023 and Bharatiya Sakshya Bill, 2023 in the Lok Sabha, today.

Shri Amit Shah said that today the Azadi ka Amrit Mahotsav is culminating and Amrit Kaal is beginning. Azadi ka Amrit Mahotsav will end on August 15 and the journey of 75 to 100 years of independence will begin from August 16, which will create a great India. He said that in his address from the ramparts of the Red Fort on August 15, Prime Minister Shri Narendra Modi had kept Panch Pran in front of the people of the country, one of them isto end all signs of slavery. He said that these three bills introduced today are in a way fulfilling one of the five vows taken by Modi Ji. All these three bills have basic laws for the criminal justice system. He said that today we have brought three new laws by abolishing the Indian Penal Code, 1860, Criminal Procedure Code, (1898), 1973 and the Indian Evidence Act, 1872 made by the British and passed by the British Parliament. The Indian Penal Code, 1860 will be replaced by the Bharatiya Nyaya Sanhita Bill, 2023, the Criminal Procedure Code, 1898 will be replaced by the Bharatiya Nagarik Suraksha Sanhita Bill, 2023 and the Indian Evidence Act, 1872 will be replaced by the Bharatiya Sakshya Bill, 2023. These three Acts which will be replaced, were made to strengthen and protect the British rule and their purpose was to punish, not to give justice. We are going to bring changes in both these fundamental aspects. The soul of these three new laws will be to protect all the rights given by the Constitution to the Indian citizens. The objective will not be to punish anyone but give justice and in this process punishment will be given where it is required

to create a sense of prevention of crime.

Union Home Minister assured the Lok Sabha that from 1860 to 2023, the criminal justice system of India continued to be operated on the basis of the laws made by the British Parliament, but now these three laws will be replaced with new laws imbuing the Indian soul, which will bring a big change in our criminal justice system. He said that in the current laws heinous crimes like murder or crime against women were placed very low and crimes like treason, robbery and attack on the official of the government were kept above these. He said that we are changing this approach and the first chapter in these new laws will be on crimes against women and children. The second chapter will be on murder/homicide and criminality with human body. We have brought this law by taking a very principled decision of bringing the citizen at the centre instead of governance.

Shri Amit Shah said that a long process has been followed in making of these laws. He said that in 2019, Prime Minister Shri Narendra Modi had guided all of us that all the laws made during the time of the British across all the departments should be discussed and reviewed in accordance to the present times and in the interest of the Indian society. He said that extensive consultation has been done everywhere to make these laws. He said that in August 2019, he had written letters to all the judges of the Supreme Court, the Chief Justices of all the High Courts of the country and all the law universities of the country. In 2020, letters were written to all MPs, Chief Ministers, Governors and Administrators of Union Territories. After extensive consultation, today this process is going to become a law. He said that 18 States, 6 Union Territories, Supreme Court, 16 High Courts, 5 Judicial Academies, 22 Law Universities, 142 Members of Parliament, about 270 MLAs and public have given their suggestions regarding these new laws. Shri Shah said that for 4 years these were discussed in depth and he himself was present in 158 meetings.

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FACE AUTHENTICATION FOR PRADHAN MANTRI KISAN SAMMAN NIDHI

Relevant for: null | Topic: Important Schemes & Programmes of the Government

The Pradhan Mantri Kisan Samman Nidhi (PM-KISAN), a Central Sector Scheme, aims to provide financial assistance to cultivable landholding farmer families across the country, subject to specific exclusion criteria. Under this Scheme, an annual amount of Rs. 6000/- is transferred in three equal installments of Rs. 2000/- directly into the Aadhaar Seeded bank accounts of the farmers.

Since its inception, the PM-KISAN scheme has leveraged technology to enhance its implementation and administration. A farmer-centric digital infrastructure ensures the scheme's benefits reach all farmers nationwide, eliminating middlemen involvement. The Government of India has disbursed over Rs 2.60 Lakhs Crores to more than 11 Crore farmers, of which over 3 Crores are women farmers. PM Kisan Scheme stands as one of the largest Direct Benefit Transfer (DBT) schemes globally, directly transferring funds to farmers' Aadhaar-linked bank accounts, bypassing intermediaries. Under the PM Kisan scheme, a notification under section 7 of the Aadhaar (Targeted Delivery of Financial and other Subsidies, benefits, and services) Act, 2016 has been issued, permitting the Government to utilize farmers' Aadhaar for verification purposes, including eKYC.

The PM-KISAN mobile app was launched in February 2020, with the provision for e-KYC through face authentication introduced in June 2023. The PM Kisan Mobile App, featuring Face Authentication, enables farmers to complete their e-KYCs effortlessly from their mobile devices. This user-friendly App is available for download on Google Play Store for Android phones. During the pilot testing phase, over 2.0 lakh farmers completed their e-KYC across the nation using the PM-KISAN mobile app's face authentication feature. Currently, around 8.0 lakh farmers have accomplished their e-KYC through this mobile App. As part of the facial e-KYC process, farmers are required to provide digital consent before their faces undergo scanning.

To bridge the digital divide, the PM-KISAN mobile App offers flexible provisions. Farmers can complete their own e-KYC through the app and assist up to 100 other farmers in their vicinity with their e-KYCs. Additionally, state government officials, including district, block, and village-level nodal officers, can perform e-KYC for 500 farmers using their registered mobile numbers. The PM Kisan scheme's services are also accessible through more than 4.0 lakh CSCs across the country.

Furthermore, various steps have been taken by respective state/UT Governments and the Central Government to raise awareness about the scheme and its digital features. Text messages in regional languages are sent to all PM Kisan beneficiaries at different stages of the scheme. Social media platforms such as Twitter, Facebook, YouTube, etc., are utilized by the Central and State Governments to engage the farmers and make them aware about eligibility criteria, mandatory verifications and the process to avail the benefits of PM KISAN scheme.

This information was given by the Union Minister of Agriculture and Farmers' Welfare, Shri Narendra Singh Tomar in a written reply in Rajya Sabha today.

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NEW BILLS AND A PRINCIPLED COURSE FOR CRIMINAL LAW REFORMS

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'The success or failure of criminal law reforms hinges on their inception, formulation, resilience, and far-sightedness' | Photo Credit: Getty Images

The recent introduction of three Bills — the Bharatiya Nyaya Sanhita to replace the Indian Penal Code; the Bharatiya Nagarik Suraksha Sanhita to replace the Code of Criminal Procedure and the Bharatiya Sakshya Bill to replace the Indian Evidence Act — transforming criminal laws has ignited a spectrum of reactions, underscoring pivotal facets related to criminal law reforms. Preliminary objections aside, the nature and the extent of the changes requires months, if not years, of study, discourse and deliberations. Amidst this unfolding discourse, however, a prevailing challenge in the Indian context lies in effectively channelling these debates to generate substantive and pertinent contributions. The Bills hold the potential to shape the future landscape of criminal law. Therefore, the task of testing their sustainability; efficacy; adherence to rule of law; and, justice delivery capacity, becomes paramount.

In his seminal work titled 'Crime, Reason and History', Alan Norrie states: "...far from being free-standing foundations for a rational criminal law, the central principles of the law are a site of struggle and contradiction." Capturing the collective aspirations of the public within criminal law reforms presents a formidable challenge given the disparities between polarised popular opinions which must be balanced with the state's perspective. Revision of India's Macaulay-era criminal law is undeniably complex, as the functionaries and stakeholders of this legal framework have been conditioned by the same for over 162 years. The Indian criminal law is undoubtedly an instrument of social control, moulding and guiding us in more ways than one.

Editorial | [Rebooting the codes: On the IPC, CrPC and Evidence Act](#)

It is too early to say whether the Bills will usher in sweeping and substantial changes in the legal landscape. The success or failure of criminal law reforms hinges significantly on their inception, formulation, and subsequent approach to their longevity and oversight. The purported 160 alterations pale in comparison to the deep-seated challenges besieging India's criminal justice system. Seemingly, the Bills also mark an abundance of missed opportunities.

At the same time, the assertion that these Bills are draconian compared to their previous iterations lacks merit. Instead, the Bills exhibit several moderative modifications, including

linguistic adjustments for gender inclusivity and replacement of outdated terms such as 'insanity' with 'mental illness'. There is also a measured reconfiguration in the punitive degrees for minor and serious offences. Significantly, the integration of ICT applications with the criminal justice process is noteworthy. Although the scope is limited, innovations such as trial in absentia and the introduction of community service are commendable. The exclusion of attempted suicide and adultery aligns the black letter of the law with the Supreme Court of India's decisions. Notably, the offence of sedition has been judiciously tempered to prevent misuse, facilitated by introducing a test for criminal intent. Newly created offences such as terrorism, organised crime, mob lynching, and negligent acts adds novel dimensions.

The debate on the Bills should not revolve merely around ascertaining whether the changes yield positive or negative outcomes. Instead, the pivotal concern lies in ascertaining whether the fundamental tenets of criminal jurisprudence are being upheld throughout this process. Currently, the trajectory of these reforms and their operational dynamics remain to be determined. Nonetheless, we can methodically examine if the reforms adhere to a principled foundation of criminal laws. The primary principle for such adjudication remains the extent to which reforms address the needs and the concerns of the people impacted by crime and justice, especially in terms of enforcement of fundamental and statutory rights. Considerable critique of criminal law reforms originates from concerns about the potential significant infringement upon individual liberties. Therefore, evaluating amended laws must revolve around striking a delicate equilibrium between state security imperatives and individual freedoms. Additionally, the efficiency of the revised laws hinges on their capacity to curtail any potential misuse by law enforcement agencies effectively. Criminal laws are generally detested as they fail to discharge their public function as a protective tool for its subjects. Reforms in laws typically fail on this count.

Questioning whether the established principles of criminalisation have been followed in creating new offences is equally pertinent. There is a need to study the principled basis of the harm or the moral/legal offence caused by such criminalised conduct. Additionally, criminal laws in India further a class divide as the rich and the resourceful get better access to justice than the marginalised and the vulnerable. The principle of equality and equitability, therefore, becomes an essential check on criminal law reform. Arguably, the realm of criminal laws confronts a crisis of public trust, resulting in deficient legitimacy on this count.

It is a fallacious to assume, without conclusive evidence to the contrary, that the populace opposes stringent measures against terrorists or organised criminals. At the same time, the level of leniency or severity in laws does not inherently shape public confidence in the criminal justice system. The upcoming Bills, therefore, face a pivotal challenge in bridging the gap between rhetoric of the law and its reality. The potency of reforms hinges on their alignment with the criminal justice system's capacity to implement it effectively. Regardless of their textual merit, numerous legal provisions remain infeasible due to systemic shortcomings. Finally, the effectiveness of the reforms will also be tested on the basis of its impact upon the status of the vulnerable, the victims and the poor.

Over the years, the essence of criminal law has been transformed by the very actors and agencies responsible for its enforcement, often rendering it ineffectual. The political executive has consistently sought to wield criminal law as a pre-emptive tool. Criminal law remains a strategic power asset for the state. Concepts of risk, endangerment and dangerousness continue to contaminate the criminal law jurisprudence in great measure. The proliferation of this preventive approach to criminal law raises legitimate concerns.

As the Bills are placed before the select committee for its consideration, it is expected that this committee will allow greater engagement to improve the drafts in terms of both language and

substance. The space must be utilised to accommodate greater provisions concerning victims' rights and participation, hate crime, bail, sentencing framework and legal aid in the pending Bills. The envisioned criminal law reforms must be made in a manner that fosters the rule of law and fortifies the pursuit of justice for aeons to come.

G.S. Bajpai is Vice-Chancellor, National Law University Delhi. The views expressed are personal

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THE GAPS IN THE BIRTHS AND DEATHS REGISTRATION (AMENDMENT) ACT

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'These databases are to provide information to update the National Population Register, the Aadhaar database, electoral rolls, ration card, passport, and other databases at the national level, as may be notified' | Photo Credit: PTI

The [Registration of Births and Deaths \(RBD\) Act, 1969](#) provides for compulsory registration of births and deaths under a uniform law across India. Experience of its working indicates that it is necessary to amend it for several reasons, and things could be changing as a Bill to amend this Act — called the [Registration of Births and Deaths \(Amendment\) Bill, 2023](#) — for the first time since its inception, has been passed by Parliament and has got the assent of the President of India.

One of the major objectives that has been stated in the 'Statement of Objects and Reasons' attached to the Bill is "to create a National and State level database of registered births and deaths which would help in updating other databases resulting in efficient and transparent delivery of public services and social benefits".

For this purpose, the Bill makes it compulsory that the Registrar General of India maintains a national level database of births and deaths, and that the Chief Registrar of births and deaths in every State is required to maintain a State-level database of registered births and deaths 'using the portal approved by the Registrar General of India'. These databases are to provide information to update the National Population Register, the Aadhaar database, electoral rolls, ration card, passport, and other databases at the national level, as may be notified.

In the case of birth, the amendments provide for collecting the Aadhaar number of the parents. Nothing is mentioned about the Aadhaar number of the deceased. Updating many of the databases would require removing the names of the deceased from the database. If the Aadhaar number of a deceased person is not collected, it would be impossible to achieve this objective. This means that the laudable objective of ensuring 'efficient and transparent delivery of public services and social benefits' would remain a dream.

Do we need the central and State databases of births and deaths? The registration hierarchy is the responsibility of State governments, with the Registrar General of India having only the role of coordination and unification of the registration system.

The maintenance of the central database is being added to the Registrar General of India's functions. The Chief Registrars are the executive authorities for the matters relating registration of births and deaths in the States. They need to maintain a database for efficient delivery of services of providing birth and death certificates and are doing so in many States even now.

The national database is going to be nothing but a collection of State-level databases, except for some data items that some States may have in addition to the national standards prescribed by the Registrar General of India. So, if the authorities maintaining other databases require information on births and deaths, it is possible to design a system wherein the required data flow to their databases on a daily basis or even a real time basis from the State-level database. The Registrar General of India needs to specify the standards for the data structures and transfer protocols. So, what is the need for a national-level database?

It is provided that this database at the central level be made available to authorities dealing with the maintenance and preparation of databases relating to the population register, electoral rolls, Aadhaar number, ration card, passport, driving licence, property registration and such other databases at the national level, as may be notified.

If those authorities require information from the database of registered births and deaths to update their databases, it requires amendment in the laws or executive orders under which they are maintained. The RBD Act only needs an enabling provision to share information from the database. Even that may not be necessary as the birth and death registers are considered public documents.

Listing a few databases for consideration by Parliament and leaving future additions to the government is demeaning to Parliament in a way. New additions to the list later may be more dangerous than those listed and approved by Parliament. For example, the government can now decide that a list of women whose third or higher order birth is being registered be prepared and given to the Family Welfare department for follow up on family planning programmes.

With regard to the facilities available now, the State government could decide that a cause of death certificate should be issued by the medical practitioner who attended the deceased person so that the certificate can be sent along with the death report. The areas/hospitals where such a certificate has been made mandatory varies across States, but is generally restricted to deaths in medical institutions. The amendments make it compulsory that for all deaths in medical institutions, a cause of death certificate be sent to the Registrar of Births and Deaths and a copy of the certificate is provided to the closest relative. For deaths that occur outside hospitals, the medical practitioner who attended to the deceased during the person's recent illness has to issue such a certificate. This is fraught with problems:

First, the medical practitioner may not have always arrived at a definite diagnosis before the person died.

Second, the forms for cause of death that are being used are in conformity with World Health Organization recommendations. If the deceased was attended by a practitioner of the AYUSH (Ayurveda, Yoga and Naturopathy, Unani, Siddha, Sowa Rigpa and Homoeopathy) systems of medicine, the cause of death recorded may not be usable for cause of death statistics since they may not be classifiable under the International Classification of Diseases.

Third, a person who was under treatment for a certain disease can die of an entirely different cause outside a medical facility when the medical practitioner was not available for consultation. How can the practitioner be expected to issue a certificate of cause of death in such cases?

Fourth, while Section 17 of the Act prohibits the inclusion of cause of death in any certificate issued under the Act, it now says that the cause of death certificate should be given to the relative of the deceased. These are contradictory as the cause of death in the death register is taken from the same cause of death certificate issued by the medical practitioner

It is provided that the birth certificate alone would be accepted as proof of date and place of birth for many purposes such as school admission, issue of passport, and issue of Aadhaar number. This may not require any amendment in this Act or any other Act. It should be possible to achieve this through amendments in the rules relating to those databases or even executive orders. For example, while applying for passports, it was compulsory to have the birth certificate for those born after January 26, 1989 under the relevant rules. The present government removed this requirement in December 2016.

When natural calamities or accidents occur, several persons are reported missing; many of them may have died too. It has been seen that the police would have to call off the search for them after some time. However, the families of such persons would have to wait for seven years to request for a certificate that says 'presumed dead'. A provision could have been inserted in the Act to register a 'presumed death' when it is reasonable to assume that the person would have died in the calamity or accident. This would help the family concerned get the death certificates earlier.

K. Narayanan Unni is a retired officer of the Indian Statistical Service and former Deputy Registrar General (Civil Registration)

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DEPARTMENT OF DRINKING WATER & SANITATION ORGANIZES WORKSHOP TO ACQUAINT BIOGAS INDUSTRY WITH INITIATIVES FOR EXPANDING GOBARDHAN IMPLEMENTATION

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

To acquaint the CBG/Biogas industry regarding the key initiatives taken by the Government of India for expanding the implementation of GOBARDhan initiative in the CBG sector, a workshop on GOBARDhan was organised by Department of Drinking Water & Sanitation (DDWS), (nodal coordinating Dept. for GOBARDhan) via VC on 17.08.2023. The virtual workshop was attended by critical stakeholders including senior officials from 7 Ministries/Depts. Of the Government of India, State level officials viz. SATAT Nodal Officers, State Mission Director (SBM-G), CBG plant operators, project developers etc. The VC was chaired by Joint Secretary, DDWS & Mission Director. Swachh Bharat Mission - Gramin, Sh. Jitendra Srivastava and the agenda items comprised CBG offtake arrangements, Fermented Organic Manure (FOM), carbon credits, incentives, investment, and financing for the CBG industry.

In his opening remarks, Sh. Jitendra Srivastava, applauded the entrepreneurs/CBG operators for their efforts and reiterated that the Government is committed to extend all forms of assistance required to establish an enabling CBG/Biogas ecosystem in the country. He added that upcoming policy enablers would further bolster the implementation scale and speed of the GOBARDhan initiative by creating greater awareness, enthusiasm, and conducive policy space for the CBG sector.



The key stakeholders spoke about their different activities supporting GOBARDhan

implementation. Sh. Dinesh Jagdale, Joint Secretary, Ministry of New & Renewable Energy, briefed the participants on the modalities of CFA (Central Financial Assistance) release; Dr. Yogita Rana, Joint Secretary, Ministry of Agriculture & Farmers Welfare, spoke about FCO (Fertilizer Control Order) related to FOM/LFOM; Sh. Anand Jha, Director, Ministry of Petroleum & Natural Gas apprised the participants of CBG offtake arrangement under SATAT scheme of MoPNG and of related upcoming policy initiatives; Dr. Satyendra Kumar, Director, Ministry of Environment, Forest & Climate Change elaborated on the policy on carbon credits for CBG sector; Sh. Manoj Kumar, Deputy Secretary, Department of Fertilizers, provided a gist of Market Development Assistance (MDA) scheme to organic fertilizer including FOM/PROM; Sh. A.N. Meshram, Deputy Commissioner, Department of Agriculture & Farmers Welfare informed about the newly launched Operational Guidelines for Crop Residue Management under SMAM (Sub Mission on Agricultural Mechanization) Scheme; Dr. A. Velmurugan, ADG, ICAR-Indian Agricultural Research Institute, talked about the package of practices and nutrient enrichment of bio-slurry and Sh. Samrat Sengupta, Eki Energy Services Ltd. discussed operational aspects of the carbon credit trading mechanism.

The presentations were followed by an engaging interaction of stakeholders with CBG operators on GOBARdhan and on-ground challenges faced during plant operation. The response to the virtual workshop was very enthusiastic and positive, as the participants appreciated the latest information on GOBARdhan received from all experts & stakeholders via a single platform as well as the resolution of GOBARdhan initiative related queries.

The workshop concluded with closing remarks of Director (SBM-G), DDWS, Sh. Karanjit Singh, who thanked the participants for their active participation. He assured of conducting similar workshops in the near future towards encouraging participation and information sharing to existing and prospective investors/project developers in the Biogas/CBG ecosystem.

Government of India is invested in accelerating nation's reliance on renewable energy to fuel the green energy transition and to implement the concept of circular economy at scale. GOBARdhan "Waste to Wealth" initiative has a pivotal role to play in this direction. This inter-ministerial initiative is aimed at generating value from waste by scientifically treating organic/biodegradable waste to produce biogas/Compress Natural Gas (CBG) and organic manure (Fermented Organic Manure/Liquid Fermented Organic Manure).

A unified GOBARdhan Portal has been launched for reporting & monitoring the progress/achievements of stakeholder Ministries/Departments. The Portal captures the details of Biogas/ Bio-CNG/CBG plants installed/supported under SBM(G) of DDWS, Sustainable Alternative Towards Affordable Transportation (SATAT) scheme of Ministry of Petroleum and Natural Gas (MoPNG), Waste to Energy scheme of Ministry of New and Renewal Energy (MNRE) among other activities of all stakeholders. As on date nearly 1400 plants have been registered on the Unified Registration Portal and there are 630 Completed/Functional GOBARdhan Plants.

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CRIMINAL LAW BILLS RENAMING IS NEEDLESS MEDDLING

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'We follow the common law system giving importance to precedents, and these are written and stored in English' | Photo Credit: Getty Images/iStockphoto

[Three new Bills were tabled](#) in Parliament recently. This article is not about the [content of these Bills](#) (the controversies on that will play out) but their names: the Indian Penal Code is now replaced by Bharatiya Nyaya Sanhita, the Code of Criminal Procedure by Bharatiya Nagarik Suraksha Sanhita and the Indian Evidence Act by the Bharatiya Sakshya Bill. That these are names unfamiliar to, and unpronounceable by, more than half the country's citizens and an overwhelming majority of its legal practitioners, makes these Bills fail the first test of acceptability. Moreover, Article 348 of the Constitution states that the authoritative texts of all Acts passed by Parliament or State legislatures shall be in the English Language. The body of these new Bills is in the English language, but the title of the Bills being in Hindi goes against the embargo placed by the Article.

The issue of language was hotly contested and debated in the Constituent Assembly and led to the adoption of various provisions in the Constitution as well as the Official Languages Act. The legal regime in place provides that English shall remain an official language until resolutions for the discontinuance of English as an official language are adopted by State Legislatures and by Parliament. That is a dim prospect when we aim to be a strong player in a globalised world.

Editorial | [Criminal laws may need reform, but not new and unfamiliar names](#)

In a linguistically diverse country where language has been the flashpoint for several protests and people's movements, the emotions and sentiments that people attach to their language must be respected. The fact that India was divided into States based on linguistic differences is sufficient to demonstrate how deeply intertwined language is with the identity of States and their residents. Is it necessary to be reminded of the protests that raged, taking lives with it, through the States of Maharashtra, Tamil Nadu, West Bengal, Punjab, and Karnataka when Hindi was sought to be made the sole official language in the 1960s? The issue continues to be highly emotive. Language is an integral part of culture, and the attempt to use Hindi in the names of the Bills introduced by the Union Government will be seen as the imposition of the culture of the linguistic majority on linguistic minorities.

The anxiety of non-Hindi speakers finds its roots in events that are taking place around us now. Statements by persons in positions of power that Hindi must be accepted as the 'national language' soon, and issuance of Hindi-only forms in public undertakings such as the Indian Railways and banks have been flagged repeatedly. The original draft of the National Education Policy 2020 contained provisions which drew protests, being seen as an attempt to "impose Hindi". Over the past few years, the Union Home Minister has made several statements linking the language of Hindi to nationhood and the idea of India. He stated in 2019 that "only Hindi can work to unite the country". He makes a similar statement every Hindi Diwas, and that can only keep the issue burning.

The perception is that there is an attempt to privilege India's most spoken regional language over other regional languages and to place it above the other languages as essential to a person's identity as an Indian. The issue is not just about language but about culture, inclusivity, diversity, and respect. The only argument to privilege Hindi over other languages of India such as Bengali, Tamil, Telugu, Kannada and Odia is that Hindi is spoken by more people. To say "we are more in number, so other communities must assimilate into our culture and speak our language" is simply majoritarianism and is antithetical to the Constitution. The legal position of the country is that English shall continue to remain an official language until the non-Hindi speaking States desire so. The prerogative to have Hindi as the sole official language, therefore, does not lie with those in the Hindi heartland, but with those on its margins. The Constitutional position is also that the text of laws introduced in Parliament shall be in English. The naming of these Bills, apart from stoking an old fire, is plainly unconstitutional.

The plain fact also is that English is the language of the law and of the courts, especially the superior courts, viz., the High Courts and Supreme Court of India. Judges are transferred across the country. Statutes are read in English. We follow the common law system giving importance to precedents, and these are written and stored in English. The law requires utmost precision and clarity in pleadings, arguments and judgments, and Indian lawyers and judges have risen magnificently to the occasion with English. Are we now to subject them to colloquial terms or high flown Hindi names familiar only to pandits in Sanskritised Hindi? This is needless meddling and nothing short of provocation. The first task of the Parliamentary Committee to which the Bill has been referred must be to change the names. And is it that these Bills are referred to the Standing Committee for Home Affairs, and not to the Committee for Law and Justice?

Sriram Panchu is Senior Advocate, Madras High Court. Aprameya Manthena is Advocate, Madras High Court. Vikas Muralidharan is a legal academician and lecturer, Sai University

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DR JITENDRA SINGH MET UP CM YOGI ADITYANATH IN LUCKNOW, DISCUSSED DIGITAL GOVERNANCE PLAN FOR THE STATE

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

Union Minister of State (Independent Charge) Science & Technology; MoS PMO, Personnel, Public Grievances, Pensions, Atomic Energy and Space, Dr. Jitendra Singh called on the Uttar Pradesh Chief Minister Yogi Adityanath in Lucknow on Saturday, 19 August 2023. In their meeting lasting over an hour, they discussed threadbare the Digital Governance Plan for Uttar Pradesh.



It was informed that the Uttar Pradesh District Good Governance Index (DGGI) 2022, the first of its kind survey of districts undertaken by any state in the country, is ready for release.

The Good Governance Index (GGI) Report, 2021, prepared by DARPG, says that Uttar Pradesh has shown an incremental growth of 8.9 % over GGI 2019 performance. Among the sectors, UP has secured top position in Commerce & Industry sector and has also shown increase in Social Welfare & Development and Judiciary & Public Safety. Uttar Pradesh has also performed well in citizen centric governance including public grievance redressal.

Dr Jitendra Singh proposed that the State Administration should design DGGI-based performance incentive system to reward the Best Practices and institute the Chief Minister's Awards for Good Governance / Practices on the pattern of PM Awards being managed by DARPG, GoI.

Dr Jitendra Singh also congratulated the UP CM for two districts, - Rampur and Chitrakoot, bagging the Prime Minister's Awards on Civil Services Day, 2023. Several other innovative practices have also been recipients of the PM awards for excellence in Administration and E-Governance, including district Chandauli for Black Rice, district Siddharthnagar for ODOP- Kala Namak rice, Varanasi district for Swamitva Yojana and the state's Mines and Mineral Management System.

Dr Jitendra Singh lauded Yogi Adityanath for providing as many as 714 Government Services online in Uttar Pradesh. He urged the UP Chief Minister to bring more services onboard the Unified Services Portal and hoped the state would soon catch up with Madhya Pradesh, which tops the rankings providing 1,000 services online. It was mentioned that Uttar Pradesh has the potential to provide e-services of at least 20 types in Tourism sector, 9 types of Environment and 14 types in Education.

As per the National e-Governance Service Delivery Assessment (NeSDA) 2021 index released by DARPG biennially, Uttar Pradesh ranked 2nd in assessment of portals and service portals among the large states with a compliance of more than 85%. Uttar Pradesh was among the forerunners in implementing mandatory services covered in NeSDA 2021 assessment. An exemplary initiative from UP on an integrated portal named "Nivesh Mitra" was also covered in the 2021 assessment.

Dr Jitendra Singh appreciated the fact that the state has consistently performed exceptional in the Grievances Disposal rankings.

As per the Grievance Redressal and Assessment Index (GRAI) monthly report of States/UTs, released by the DARPG, Govt. of Uttar Pradesh topped the rankings among the large States continuously in the months of May, June and July 2023. Uttar Pradesh received and disposed maximum number of grievances during 01.01.2023 to 15.08.2023 among all States and UTs. Uttar Pradesh, with an average closing time of 23 days, is the only large State which has average closing time of their grievances within the standard redressal time of 30 days.

The State Govt has developed a very robust Integrated Grievance Redressal System popularly termed as IGRS or the 'UP Jansunwai Samadhan'. The CM Helpline is at the heart of this system. Common citizens can register their grievances through toll free number 1076, which is backed by a call centre staffed with 500 strong work force. The IGRS is fully integrated with Govt of India's PG portal (CPGRAMS) as well as those received in various offices like the Governor's office, CMO and down to the level of districts/tehsil and police stations. The impact of the IGRS has been highly positive. On an average, 80 lakh public grievances are being received and disposed of every year through this system. Receipt of a large number of grievances or references from the citizens reflects their growing confidence in the system and the enhanced credibility of administration. The average disposal time has been reduced drastically.

Dr Jitendra Singh suggested that the DARPG can conduct the 2nd National Workshop on SEVOTTAM in Uttar Pradesh. SEVOTTAM is a capacity building programme for the Grievance redressal officers registered under the CPGRAMS. The programme is implemented through State Administrative Training Institutes (ATIs). 19 ATIs including UP have joined DARPG in implementing SEVOTTAM. A grant of Rs 20 lakh was released to UP ATI in 2022-23. They have conducted 11 training programmes for 658 officers.

Dr Jitendra Singh also urged the UP CM to direct state treasuries to tie up with the MeitY to enable Digital Life Certificate (DLC) generation of Jeevan Pramaan using face authentication technique and ensure installation of the app in pensioners' mobile phones. This will make the DLC facility available for the pensioners drawing pension from U.P. state government treasuries. Dr Jitendra Singh said the Central Govt's Department of Pension & Pensioners' Welfare will be conducting another awareness campaign in November 2023 at 100 locations across the country in collaboration with Banks, Pensioners Associations, MEITY, UIDAI and Ministry of Defence with a target of generation of DLCs for 50 lakh pensioners. This will enable the pensioner to submit the DLC every year from the comfort of their homes

As Central Minister in-charge of Science & Technology, Dr Jitendra Singh urged the UP CM to

allot land for the setting up of a Biotechnology Park in Lucknow by the Centre's Department of Biotechnology at the earliest.

SNC/PK

Union Minister of State (Independent Charge) Science & Technology; MoS PMO, Personnel, Public Grievances, Pensions, Atomic Energy and Space, Dr. Jitendra Singh called on the Uttar Pradesh Chief Minister Yogi Adityanath in Lucknow on Saturday, 19 August 2023. In their meeting lasting over an hour, they discussed threadbare the Digital Governance Plan for Uttar Pradesh.



It was informed that the Uttar Pradesh District Good Governance Index (DGGI) 2022, the first of its kind survey of districts undertaken by any state in the country, is ready for release.

The Good Governance Index (GGI) Report, 2021, prepared by DARPG, says that Uttar Pradesh has shown an incremental growth of 8.9 % over GGI 2019 performance. Among the sectors, UP has secured top position in Commerce & Industry sector and has also shown increase in Social Welfare & Development and Judiciary & Public Safety. Uttar Pradesh has also performed well in citizen centric governance including public grievance redressal.

Dr Jitendra Singh proposed that the State Administration should design DGGI-based performance incentive system to reward the Best Practices and institute the Chief Minister's Awards for Good Governance / Practices on the pattern of PM Awards being managed by DARPG, GoI.

Dr Jitendra Singh also congratulated the UP CM for two districts, - Rampur and Chitrakoot, bagging the Prime Minister's Awards on Civil Services Day, 2023. Several other innovative practices have also been recipients of the PM awards for excellence in Administration and E-Governance, including district Chandauli for Black Rice, district Siddharthnagar for ODOP- Kala Namak rice, Varanasi district for Swamitva Yojana and the state's Mines and Mineral Management System.

Dr Jitendra Singh lauded Yogi Adityanath for providing as many as 714 Government Services

online in Uttar Pradesh. He urged the UP Chief Minister to bring more services onboard the Unified Services Portal and hoped the state would soon catch up with Madhya Pradesh, which tops the rankings providing 1,000 services online. It was mentioned that Uttar Pradesh has the potential to provide e-services of at least 20 types in Tourism sector, 9 types of Environment and 14 types in Education.

As per the National e-Governance Service Delivery Assessment (NeSDA) 2021 index released by DARPG biennially, Uttar Pradesh ranked 2nd in assessment of portals and service portals among the large states with a compliance of more than 85%. Uttar Pradesh was among the forerunners in implementing mandatory services covered in NeSDA 2021 assessment. An exemplary initiative from UP on an integrated portal named "Nivesh Mitra" was also covered in the 2021 assessment.

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MSDE, UNDER THE SANKALP PROGRAMME, FOCUSES ON TRAINING 1500 ASPIRANTS IN 'CLOUD' SKILLS

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The Ministry of Skill Development and Entrepreneurship (MSDE), in collaboration with Generation India Foundation (GIF) and Amazon Web Services India Private Limited (AWS India) is providing 'cloud' skills training to 1,500 learners and connecting them to employment opportunities, under project AMBER. The initiative has been undertaken under the SANKALP programme of MSDE with a focus on women to improve gender diversification in the tech industry and underprivileged groups.

The trend towards increasing women's interest and participation in digital skills training has been exponentially growing and a collaborative approach between the industry and the government is essential to empower women with online resources, mentorship, and networking opportunities that enable them to build sustainable livelihood and employment opportunities at the grassroot level. Projects like AMBER, which is a joint initiative of the National Skill Development Corporation (NSDC) – under the aegis of Ministry of Skill Development and Entrepreneurship (MSDE) - and GIF create the necessary avenues. Co-funded by MSDE (under the SANKALP program) and private philanthropy, project AMBER aims to train 30,000 youth, 50% of whom will be women.

As part of this collaboration, the learners take part in AWS (re/Start), a workforce development program for unemployed and underemployed individuals, that covers fundamental AWS cloud skills as well as practical career tips, including resume writing and interview preparation. Through real-world scenario-based exercises, labs, and coursework, learners are trained in multiple technologies, including Linux, Python, networking, security, and relational databases. The program also covers the cost for learners to take the AWS Cloud Practitioner Certification exam, an industry-recognized credential that validates their cloud skills and knowledge and connects the participants with job interview opportunities in cloud or IT with local employers.

Speaking about the initiative, Shri Atul Kumar Tiwari, Secretary, Ministry of Skill Development and Entrepreneurship said that the automation and other technological advancements are changing the nature of jobs and providing immense economic growth potential to India. Collaborating with AWS re/Start is crucial for those individuals who need cloud computing skills and to open up more opportunities for women to pursue tech careers. We are deeply invested in building capabilities in areas that are evolving due to demographic transitions and technological changes such as Industry 4.0 and Web 3.0. **He** believed outcome-based skills training initiatives like Project AMBER will help tap the enormous potential of India's youth, he added.

AWS re/Start brings entry-level talent into the workforce and helps individuals to launch successful cloud careers, organizations to increase their competitive edge with in-demand talent, and communities to thrive. We are excited to collaborate with MSDE, NSDC, and GIF to create a diverse and robust pipeline of young cloud computing professionals that will help organizations across India to accelerate their digital transformation, said Amit Mehta, Head of Business Development for Education & Training, AWS India Private Limited.

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