

## 31 JULY COMPREHENSIVE NEWS ANALYSIS

### TABLE OF CONTENTS

#### A. GS 1 Related

#### B. GS 2 Related

#### ***POLITY AND SOCIAL JUSTICE***

##### 1. Activists press for new anti-trafficking Bill

#### ***INTERNATIONAL RELATIONS***

##### 1. The next flashpoint in U.S. - China Context

##### 2. Speed Up release of undertrials

#### C. GS 3 Related

#### ***ENVIRONMENT***

##### 1. New e-waste rules threaten jobs, collection network

#### D. GS 4 Related

#### E. Editorials

#### ***INTERNAL SECURITY***

##### 1. What has the SC said on PMLA's validity?

#### F. Prelims Facts

##### 1. Invasive frog and snake species dent world economy

#### G. Tidbits

#### H. UPSC Prelims Practice Questions

#### I. UPSC Mains Practice Questions

### A. GS 1 Related

*Nothing here for today!!!*

### B. GS 2 Related

Category: **POLITY**

#### 1. Activists press for new anti-trafficking Bill

**Syllabus:** GS-2 Government policies and intervention, Issues related to women.

**Mains:** Human Trafficking

**Context:** The UN observes 30 July as World Day Against Trafficking in Persons .

**Details:**

- The theme of 2022 World day against anti-trafficking - USE AND ABUSE OF TECHNOLOGY
- Technology as enabler of Human Trafficking
  - Expand the range of working transcending borders
  - Allows efficiency and speed in reaching out to the recruits, clients etc.
  - Facilitates easy transport of victims.
  - Detection of crime can be easily evaded
  - Easy to victimize and coerce through fraud offers.
- Technology as a disabler of Human trafficking
  - Investigation and law enforcement through technology leveraging
  - The prosecution can be improved through digital evidence.
  - Technology can aid in busting huge networks of traffickers.
  - Moreover, it can be used to increase community awareness about the menace through social media platforms.

**Measures to be taken:**

- **Community level:**
  - Local populace and civil society organizations should stay vigilant in their online spheres.
  - Create awareness among the contacts.
  - Reporting in case of suspicion.
- **Government/ Authorities:**
  - Ensure adequate laws and policy measures in accordance with technological growth.
  - Also provide adequate rehabilitative measures with online accessibility.
- **Technology companies:**
  - Proactively report illegal activities and collaborate with state authorities to bust the network of traffickers.

**Nut Graf:** Technology though act as an enabler to Human trafficking, but can be used for the benefit of the society as well.

**Category: INTERNATIONAL RELATIONS**

**1. The next flashpoint in U.S. - China Context**

**Syllabus:** *GS-2 Groupings and Agreements involving India and/or affecting India's interest, Effect of policies and politics of developed and developing countries on India's interest.*

**Mains:** *US China relation*

**Context:** Taiwan's visit by U.S. House speaker has caused tension between the U.S. and China .

**Background :**

- The history goes back to 1949, when the Kuomintang (KMT) Chiang Kai shek fled to Taiwan after losing the civil war to Mao Zedong's Communist.
- Taiwan was self ruled and evolved into a democracy.
- According to the Taiwan Relation Act of 1979, Washington is committed to provide help to Taiwan in defending itself.

**Taiwan's Importance:**

- Strategically important position.
- Geopolitical importance in the Indo-Pacific region.
- Importance in the supply chain network especially for semiconductor chips.

**China's Stand:**

- Taiwan is a part of one and only China and increasingly favors one China policy.
- China's official White Paper on Taiwan declares it "is under no obligation to commit itself to rule out the use of force", a position that is still supported by it.

**U.S. Stand:**

- Both Wahington and Taiwan has objected to the increased military activities in the Air defense Identification zone.
- They have also been apprehensive of China's policy of isolating the island internationally.

**Nut Graf:** *Taiwan is flaring up the new contentions between the two superpowers that will have a domino effect in the global geopolitics.*

## **2. Speed Up release of undertrials**

**Syllabus:** *GS-2 Issues arising out of design and implementation of policies, Judiciary.*

**Mains:** *Undertrials*

**Context:** PM quoted that the ease of justice is as important as ease of living and ease of doing business.

**Details:**

- The Chief Justice of India and the Union Law minister have both stressed on the need of providing legal aid to the undertrials
- The vast socio-economic disparities were highlighted by CJI.
- It was stressed that the Democracy should provide the space for participation to each and every countrymen

**Statistics:**

- The Prison Statistics India report released by the National Crime Records Bureau (NCRB) in 2020 has quoted that there were as many as 4,88,511 prison inmates, of whom 76%, or 3,71,848, were undertrials.

**Initiatives to support Undertrials:**

- NALSA
- National Judicial Data Grid

**Nut Graf:** *Judiciary is the first point of contact for the effective functioning of the democracy and so the issue of Undertrials should be adequately addressed.*

## C. GS 3 Related

### Category: ENVIRONMENT

#### 1. We need to protect whistle blowers

**New e-waste rules threaten jobs, collection network**

**Syllabus:** *GS-3 Conservation, environment pollution and degradation*

**Mains:** *E-waste*

**Context:** A draft proposal for regulation of e-waste.

**Details:**

- The burgeoning rise of electronic waste or End-of-life(EOL) electronic goods and the issues posed by it led to E-waste(Management) Rules 2016.

- The rules introduced the concept of Extended Producer Responsibility where the Producer of the electronic goods has to recycle a certain percentage of e-waste.
- This in turn gave rise to the Producer Responsibility Organization (PRO). These were government registered and had a collective recycling capacity of 1.3 million.

#### Challenges with electronic waste:

- Increases plastic pollution.
- Chemicals cause soil contamination.
- E-waste recycling industry employs child labor.
- Hazardous extraction industry impacts the health of worker.
- Also the recycling industry is largely informal.

#### New proposal

- The draft proposes to replace PROs and dismantlers with Recyclers.
- These recyclers will recycle waste and issue electronic certificates in turn

#### Reasons for New proposal:

- Low recycling- In 2018-19, 7.7 lakh tonnes of waste was generated and the amount of waste in 2019-20 was 1 million tonnes. However only a fifth that is 22% was recycled in both years.
- Enhanced Accountability due to incorporation of electronic tracking system.
- Unreliability of PROs because of the issues of double counting.

#### Challenges with proposed draft:

Threatens the livelihood of thousands of unskilled workers.

The number of e-waste categories has increased from 21 to 95.

PRO provides efficient checks and balances and ensures verifiable recycling.

The limited number of recyclers in a few cities will result in the issue of transportation of goods.

#### Way Forward:

- Since the e-waste is only going to rise with rising consumerism, it is advised to build consensus with all the stakeholders.
- Emulating the best practices of the Bhopal e-waste clinic and that of Norway e-waste management.

**Nut grafs:** *The draft proposal of new e-waste rules have raised various contentions for the people engaged in the circular economy. The need of the hour is to build consensus that have larger benefit for all the stakeholders and the society ultimately.*

**D. GS 4 Related**

*Nothing here for today!!!*

**E. Editorials**

**Category: INTERNAL SECURITY**

**1. What has the SC said on PMLA's validity?**

**Syllabus: Money-laundering and its prevention**

**Prelims: Prevention of Money Laundering Act provisions**

**Context:** Supreme Court verdict on the provisions of the Prevention of Money Laundering Act (PMLA).

**Background:**

- The functioning of the Enforcement Directorate (ED) and the implementation of the Prevention of Money Laundering Act (PMLA) has come in for much criticism in recent times, as several investigations have been opened against opposition political functionaries of the current ruling dispensation.

**Details:**

- The Supreme Court has upheld several provisions of the Prevention of Money Laundering Act (PMLA) including several 'draconian' provisions, rejecting strong challenges to their validity.
- In this context, the article discusses the Supreme Court observations on the following broad themes.

**Validity of the PMLA:**

- With respect to the questions on validity and necessity of the PMLA, the Supreme Court accepted the Union government's argument that PMLA provisions were valid and necessary to fulfil the India's obligations to abide by international conventions aimed at combating the menace of money-laundering.
  - The UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention) adopted in 1988 called upon countries to prohibit the conversion or transfer of property gained through dealing in narcotics to conceal its illicit origin.
  - The UN Convention against Transnational Organized Crime of 2000 (Palermo Convention) called for 'criminalising the laundering of proceeds of crime'.
  - India is also a member of the Financial Action Task Force (FATF) established in 1989 to

tackle money-laundering.

- The PMLA enacted in 2002 aimed to give effect to India's obligations to abide by the above international conventions.

### **Definition of money-laundering:**

- The Supreme Court upheld the definition of money-laundering under Section 3.
- The Court quashed the challenge that only the projection of tainted money as untainted, and its integration into the economy would constitute the offence. It noted that holding or using the proceeds of crime as much as an offence as the projecting or converting of the proceeds into legal money or property.
- The Court noted the generation of money through crime and its integration with the formal economy as being related and it would be wrong to limit the definition of money laundering to only attempts made to integrate the ill-gotten wealth.

### **Functioning of the ED:**

- The Enforcement Directorate registers an 'Enforcement Case Information Report' (ECIR), the equivalent of an FIR in ordinary cases. Notably, this ECIR is not a public document, and the ED does not share it with the accused.
- This aspect was challenged based on the argument that this would leave investigation, issue of summons and decision to order a search, seizure or arrest completely at the whim of ED officials and lack of judicial oversight. This provision is prone to misuse.
- The Supreme Court rejected these contentions pointing out to the presence of sufficient safeguards in the entire process of survey, search, seizure and arrest.

### **Enforcement Directorate's power to issue summons and inquiry:**

- The Supreme Court upheld the powers of the ED to summon any person. The Court noted that the ED has the power of a civil court to enforce the attendance of a person summoned under Section 50 of the act.
- The Court also upheld the provisions which require the summoned person to mandatorily give statement and produce documents asked for. Failure to do so would constitute an independent offence and giving a false statement amounts to perjury. The statement given by the person summoned must be signed and it can be used against him/her in a trial.
- The Supreme Court rejected the challenge to this section. This section was challenged on the ground that the section is unconstitutional as it forces people to be witnesses against themselves, thus going against Article 20 of the Constitution.
  - Article 20 (3) of the Indian Constitution states that no person accused of any offence shall be compelled to be a witness against himself.
- The Supreme Court noted that this was not the same as testimonial compulsion and amounted to



just an inquiry. The ED can gather material without treating the person as an accused.

**Bail provisions:**

- Section 45 of PMLA dealing with grant of bail to the accused under the act imposes two conditions. First the court must be satisfied that there are reasonable grounds for believing that the accused is not guilty of an offence and secondly that the accused is not likely to commit any offence while on bail. This provision was challenged based on the ground that it goes against the fundamental right of personal liberty guaranteed by Article 21 of the Constitution of India.
- Noting that the State has a compelling interest in imposing stringent bail conditions for economic offences, the Supreme Court upheld the stringent bail conditions under the Prevention of Money Laundering Act, that impose a reverse burden of proof on the accused.
  - In case of reverse burden of proof, the accused, now presumed guilty must produce evidence beyond reasonable doubt to prove his innocence and be granted an acquittal. This goes against the principle of presumption of innocence which is fundamental to a person accused of any offence.
- The Court relied on Article 39 of the Constitution, part of the Directive Principles of State Policy that mandates the State to prevent concentration of wealth, to uphold the stringent bail conditions under PMLA.
- Notably, the Supreme Court had declared this bail criteria unconstitutional in its earlier judgment.
  - In 2018, the Supreme Court had struck down the bail section, on the ground that the conditions only applied to those offences listed in Part A of the Schedule attracting a prison term of three years and more, but not for the offence of money-laundering itself.
- The Parliament had re-enacted the section with an amendment stating that the bail conditions would apply to all cases under PMLA, without any reference to the scheduled offence. The Supreme Court dismissing the challenge to these amendments, upheld the power of the Parliament to enact a provision to cure a defect highlighted by the Supreme Court.

**Recommendations made by the Supreme Court:**

- The Supreme Court suggested the ED to consider the possibility of informing the public through its website about the scope of the authority under the Act, the measures adopted by its functionaries and the options or remedies available to the accused.

**Nut Graf:** *The Supreme Court judgment on the PMLA provisions seeks to provide for a balancing arrangement between the interests of the accused and the state in terms of the need to curb offences such as money laundering and terrorism.*

**F. Prelims Facts**



## 1. Invasive frog and snake species dent world economy

*Syllabus: GS-3 Conservation, environmental pollution and degradation*

*Prelims: Biodiversity*

**Context:** Controlling global transport of invasive species.

**Details:**

- **American Bullfrog (*lithobates catesbeianus*):**
  - Brown and green frog.
  - Region suffering = Europe
  - Impact = crop damage
- **Brown Tree Snake (*boiga irregularis*):**
  - It was introduced by the U.S. Troop in World War II.
  - Region suffering = Pacific Island(including Mariana Island and Guam).
  - Impact = power outages as they crawl on electrical equipment

**G. Tidbits**

*Nothing here for today!!!*

## H. UPSC Prelims Practice Questions

**Q1. Consider the following statements with respect to Shaheed Udham Singh.**  
**(Level - Medium)**

1. He was part of the Ghadar Party.
2. He assassinated Michael O'Dwyer, to avenge the killing of Lala Lajpat Rai.

Which of the following statement/s is/are correct?

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

**Answer: a**

**Explanation:**

- Statement 1 is correct- Udham Singh belonged to the Ghadar Party. Statement 2 is incorrect as he

was known for assassinating Michael O'Dwyer, the former lieutenant governor of the Punjab in India, on 13 March 1940. The assassination was done in revenge for the Jallianwala Bagh massacre in Amritsar in 1919.

**Q2. Consider the following pairs of elephant reserves and associated state.  
(Level- Medium)**

Elephant reserve	State
Sonitpur	Assam
Intanki	Nagaland
Anamudi	Tamil Nadu
Srivilliputhur	Andhra Pradesh

How many of the above pairs is/are correctly matched?

- a) One pair only
- b) Two pairs only
- c) Three pairs only
- d) All the four pairs

**Answer: b**

Explanation -

- Sonitpur Tiger reserve located in the eastern hill forest of Arunachal Pradesh and Assam.
- Intanki Wildlife Sanctuary is home to varied wildlife, located in Kohima of Nagaland.
- Anamudi is a mountain located in Ernakulam district and Idukki district of the Indian state of Kerala. It is the highest peak in the Western Ghats and in South India.
- The Grizzled Squirrel Wildlife Sanctuary (GSWS), also known as Srivilliputhur Wildlife Sanctuary is in Tamil Nadu

**Q3. Which of the following statement/s is/are correct with respect to Santhal rebellion (1855-56)? (Medium)**

1. The revolt was spearheaded by the murmur brothers- Sidhu and Kanhu.
2. The rebellion is also known as Ulgulan.
3. The British created the Damin-i-koh district in the Santhal inhabited areas after the rebellion to placate the Santhals.

Options:

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

**Answer: a**

Explanation:

- Statement 1 is correct - on 30 June 1855, two Santal rebel leaders, Sidhu and Kanhu Murmu, mobilized roughly 60,000 Santhals and declared a rebellion against the East India Company. The basic purpose was to collect taxes by making and enforcing his own laws.
- Statement 2 is incorrect - The Ulgulan revolt was a 19th century tribal rebellion led by Birsa Munda. It took place in the region south of Ranchi in 1899-1900.
- Statement 3 is incorrect - Santhal Paragana was the area demarcated for Santhals by the British post the santhal rebellion.

**Q4. Consider the following statements with respect to floating solar plants.**

1. Ramagundam floating Solar plant in Telangana is the largest such operating plant in India and also the largest in the world.
2. The water body underneath the solar modules helps in maintaining their ambient temperature, thereby improving their efficiency and generation.

Which of the following statement/s is/are correct?(Medium)

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

**Answer: b**

Explanation:

- Statement 1 is incorrect- It is largest in India but not in the world. The largest is in China.
- Statement 2 is correct - The water body underneath the solar modules helps in maintaining their ambient temperature, thereby improving their efficiency and generation.

**Q5. The Service Area Approach was implemented under the purview of (Level- Easy)**

- a) Integrated Rural Development Programme
- b) Lead Bank Scheme (A)
- c) Mahatma Gandhi National Rural Employment Guarantee Scheme
- d) National Skill Development Scheme

**Answer: b**

Explanation- The Service Area Approach (SAA) was introduced in April 1989, in order to bring about an orderly and planned development of rural and semi- urban areas of the country, was extended to all Indian scheduled commercial banks including Regional Rural Banks (RRBs).

### I. UPSC Mains Practice Questions

1. The Supreme Court verdict on the Prevention of Money Laundering Act fails to protect personal liberty from stringent provisions. Do you agree? Justify. (15 Marks, 250 Words) (GS3-Security)
2. Write a note on E-waste (Management) Rules, 2016 and examine how the rules proposed by the Centre threatens the livelihood of thousands of people. (10 Marks, 250 Words) (GS2-Environment and Ecology)