

Granting bail in UAPA cases**Why in News?**

- Recently, the Supreme Court denied bail to Gurwinder Singh, an accused in an alleged Khalistan module.
 - He has been accused of a being part of a larger conspiracy with Sikhs for Justice, a pro-Khalistan group banned by the Indian government.
- Courts have sometimes granted bail under the UAPA, despite its stricter bail conditions. They have interpreted Section 43D (5) to allow bail in exceptional cases.
- However, in most instances, courts still deny bail, even though some rulings have made it harder for the state to oppose bail.

The Unlawful Activities Prevention Act (UAPA), 1967

- About
 - Enacted in 1967, UAPA is the primary counter-terror law in India.
 - It was enacted to outlaw and penalise unlawful and terrorist activities, which pose a threat to the integrity and sovereignty of India.
 - These activities include:
 - Aiding and abetting terrorists
 - Funding terrorists
 - Inciting anti-national feeling in the masses
 - Other unlawful activities against the state
- Key provisions of UAPA
 - Wide ranging powers to Central Govt
 - It provides wide-ranging powers to the Central Government to designate organisations as terrorist organisations
 - It also prescribes the penalties for taking part in the activities of such organisations.
 - Applicability
 - It is also applicable if the offences are committed outside India. Both Indian and foreign nationals can be charged.
 - Timeline
 - A charge sheet can be filed in maximum 180 days after the arrests.
 - The investigation has to be completed within 90 days.
 - If investigation is not completed with the stipulated time, the accused is eligible for default bail.
 - Special court
 - The act establishes a special court designated to conduct trials.
- Sanction to prosecute under UAPA
 - Section 45(1) of the UAPA says no court shall take cognizance of any offence under the Act without the previous sanction of the central or state government or any officer authorised by them.
 - Under Section 45(2), the sanction for prosecution has to be given within a prescribed time only after considering the report by the competent authority.

2019 Amendment of UAPA

- The original act was amended in the years 2004, 2008, 2013, and 2019 to increase its scope and ambit. 2019 amendment changed the following:
- Who may commit terrorism:
 - The amendment additionally empowers the government to designate individuals as terrorists on the same grounds.
- Approval for seizure of property by NIA:
 - The Amendment adds that if the investigation is conducted by an officer of the NIA, the approval of the Director General of NIA would be required for seizure of such property.
- Insertion to schedule of treaties
 - The Act defines terrorist acts to include acts committed within the scope of any of the treaties listed in a schedule to the Act.
 - The Schedule lists nine treaties, including the Convention for the Suppression of Terrorist Bombings (1997), and the Convention against Taking of Hostages (1979).
 - The Amendment adds another treaty to the list. This is the International Convention for Suppression of Acts of Nuclear Terrorism (2005).

Section 43D(5) of UAPA

- About
 - This provision deals with the granting of bail to the terror accused. The provision makes grant of bail virtually impossible under UAPA.

- The test for denying bail under the UAPA is that the court must be satisfied that a “prima facie” case exists against the accused.
 - It says that someone accused of a crime under this Act can't get bail unless the Public Prosecutor has a chance to speak about it.
 - If the court looks at the case diary and believes there are good reasons to think the accusation is likely true, then the accused person cannot get bail.
 - The law states that if the court relies solely on the police's version, the accused must convince the court that it's not reasonable to believe the accusations are true at first sight.
 - By putting this burden on the accused, the fundamental idea in criminal law that a person is innocent until proven guilty is changed in the UAPA framework.
- Supreme Court on Section 43D (5) of UAPA
 - In the case of Zahoor Ahmed Shah Watali, the Supreme Court in 2019 confirmed that courts must accept the state's case without examining its merits while granting bail.
 - In other words, it directed courts not to analyse evidence or circumstances but look at the totality of the case presented by the state while deciding on bail petition.
 - In Union of India v K ANajeeb, January 2021, SC upheld the grant of bail under UAPA when the accused had undergone incarceration for a significant period.
 - However, it recognised that bail under UAPA was an exception.
 - SC was of the view that the legislative policy against grant of bail would not hold ground if:
 - there is no likelihood of trial being completed within a reasonable time and
 - the period of incarceration already undergone has exceeded a substantial part of the prescribed sentence.
 - In this case, SC tried to ensure that provisions like Section 43D(5) of UAPA is not used as the sole metric for the denial of bail.
 - It incorporated the constitutional right to speedy trial as a ground for granting bail.
 - In July 2023, the Supreme Court, in the case of Vernon Gonsalves v State of Maharashtra, disagreed with the Watali ruling regarding how the "prima facie true" test should be applied.
 - The bench stated that the test wouldn't be satisfied unless there's some basic analysis of the evidence's value during the bail examination, and the quality of evidence convinces the court of its worth.
 - Since both the Watali and Gonsalves rulings came from benches with the same number of judges, it remains to be seen how future benches will use the test.
 - If there's significant disagreement between different two-judge benches, a larger bench will need to settle the law

SOCIAL ISSUES

PM-SVANidhi boosted annual income of street vendors

Why in News?

- A study looked at how the PM Street Vendor's AtmaNirbhar Nidhi (PM SVANidhi), a loan scheme for street vendors, affected their income.
- It found that the first loan of ₹10,000 increased the yearly income of each beneficiary by ₹23,460.

The PM SVANidhi Scheme

- About
 - It was launched in 2020 amid the pandemic by the Ministry of Housing and Urban Affairs (MoHUA), Government of India.
 - It is a micro-credit facility that provides street vendors a collateral-free loan of Rs 10,000 with low rates of interest (below 12%) for a period of one year, aiding the vendors at getting back on their feet financially.
 - In the long term, it aims at -
 - Establishing a credit score for the vendors
 - Creating a digital record of their socio-economic status
 - This will enable street vendors to avail the Central government schemes later, formalise the informal sector of the economy and provide them safety nets and a means of availing loans in the future.
- Need for the Scheme
 - Many vendors belong to the informal economy, and often borrow from private lenders which charge them exorbitant rates of interest.
 - The COVID-19 pandemic and the nationwide lockdown left daily wage workers and street vendors out of work.
- Eligibility
 - All vendors who have been vending from or before (March 24, 2020) and with a certificate of vending can avail the loan.

- As per the Street Vendors Act 2014, the Town Vending Committees (which comprises the local authorities and vendors from an area) issue a certificate of vending after a survey has been conducted of all the vendors.
- Performance of the scheme
 - Data on the PM-SVANidhi portal (February 10, 2024) showed that 60.65 lakh first-term loans, 16.95 lakh second-term loans and 2.43 lakh third-term loans have been disbursed so far under the scheme.

News Summary: The study

- About
 - The study was commissioned by the Union Ministry of Housing and Urban Affairs.
 - It was carried out between January and June 2023 by the Centre for Analytical Finance of the Indian School of Business (ISB).
 - The report will be used by the Ministry for its own assessment of PM SVANidhi and is not likely to be made public
- Findings
 - 94% of those beneficiaries who had availed the first loan of Rs 10,000 said they used it to make business investments.
 - It was 98% in case of those who had availed the second loan.
 - The first loan resulted in an additional income of 1,955 per month, or 23,460 in total during the loan's one-year duration.
 - The study found 13.9% of all the loans disbursed had been classified as non-performing assets (NPAs), meaning no payments had been made for three months and more.
 - The study discovered that the debt-to-income (DTI) ratio of the beneficiaries was lower than what small businesses typically have.
 - This indicates that the vendors are considered highly creditworthy.
 - Additionally, the study revealed that even after the PM SVANidhi program started, there was not much improvement in street vendors accessing formal credit from other sources.
 - Only 9% of the beneficiaries had loans from other financial institutions.

PRELIM FACTS**1. AadiMahotsav**

- The President of India will inaugurate the AadiMahotsav 2024, an annual National Tribal Festival at Major Dhyani Chand National Stadium in New Delhi on 10th February.

About AadiMahotsav:

- It is organized by Tribal Cooperative Marketing Development Federation of India Limited (TRIFED) under the aegis of the Ministry of Tribal Affairs, will showcase the rich diversity of India's tribal heritage.
- It is not only a platform to exhibit the extraordinary talent and craftsmanship of tribal artisans but also an opportunity to interact, learn, and contribute to the empowerment of tribal communities.
- The festival will feature an expanded showcase with over 300 stalls, offering varied display of Tribal art, handicrafts, natural produce, and delectable tribal cuisine.

What is TRIFED?

- It is a national-level organisation under the Ministry of Tribal Affairs.
- It is primarily engaged in the development and marketing of tribal handicrafts and natural products.
- It came into existence in 1987 and got registered under the Multi-State Cooperative Societies Act, 1984 (now the Multi-State Cooperative Societies Act, 2002).
- Mandate: Capability enhancement for Tribals, promotion of tribal products, and creation of marketing opportunities for the Tribals with a view to ensuring remunerative prices for their products and augmenting their income on a sustainable basis.
- It has been entrusted by the Government of India to implement its proposed Minimum Support Price Scheme for Minor Forest Produce.
- Head Office: New Delhi

2. SARTHI Portal

- Recently, the union Minister of Agriculture and Farmers Welfare launched the Agri-Insurance Sandbox Framework Platform SARTHI and Learning Management System (LMS) Platform for the farming community under the Pradhan Mantri FasalBima Yojana (PMFBY) in Delhi.

About SARTHI Portal:

- Sandbox for Agricultural and Rural Security, Technology and Insurance (SARTHI) is the comprehensive digital insurance platform launched in collaboration with United Nations Development Programme (UNDP) India.

- It extends coverage to health, life, home, shop, agriculture implements, motor, and parametric products.
- It can be accessed via the AIDE app available on Android App Store.
- This ambitious endeavour, aligned with the Sustainable Development Goals, not only aims to safeguard farmers' livelihoods but also to fortify the resilience of the agricultural sector as a whole.
- Significance
 - It marks a significant advancement beyond traditional crop insurance, offering a diverse array of products tailored to farmers' needs.
 - By expanding insurance coverage to include vital assets like tractor machinery, SARTHI empowers farmers to comprehensively mitigate risks, securing their livelihoods and fostering long-term sustainability in agriculture.

Other initiatives:

- Learning Management System (LMS)
 - It is developed in collaboration with the National E-Governance Division (NeGD).
 - Its primary goal is to provide stakeholders, including farmers, insurance companies, Government officials, state Government representatives, and participants in the Pradhan Mantri FasalBima Yojana (PMFBY), with the essential skills and knowledge needed for efficient crop insurance and agricultural credit.
 - The LMS will facilitate training and knowledge sharing through interactive modules, personalized training programs, and accessible resources. Stakeholders can deepen their understanding of agricultural practices, crop insurance protocols, and financial mechanisms.

3. Pradhan Mantri Matsya Kisan Samridhi Sah-Yojana (PM-MKSSY)

- Recently, the Union Cabinet approved the Pradhan Mantri Matsya Kisan Samridhi Sah-Yojana (PM-MKSSY), a sub scheme under the Pradhan Mantri Matsya Sampada Yojana.

About Pradhan Mantri Matsya Kisan Samridhi Sah-Yojana:

- It will be implemented as a Central Sector Sub-scheme under the Central Sector Component of the PMMSY.
- Funding: Implemented at an estimated outlay of Rs.6,000 crore consisting of 50% i.e. Rs.3,000 crore public finance including the World Bank and the AFD external financing, and rest 50% i.e. Rs.3,000 crore being the anticipated investment from the beneficiaries/private sector leverage.
- Time period: It will be implemented for 4 years from FY 2023-24 to FY 2026-27 across all the States and UTs.
- Intended Beneficiaries:
 - Fishers, Fish (Aquaculture) Farmers, Fish workers, Fish Vendors or such other person directly engaged in fisheries value chain.
 - Micro and Small enterprises in the form of Proprietary Firms, Partnership Firms and Companies registered in India, Societies, Limited Liability Partnerships (LLPs), Cooperatives, Federations, Village Level Organizations like Self Help Groups (SHGs), Fish Farmers Producer Organizations (FFPOs) and Startups engaged in fisheries and aquaculture value chains.
 - FFPOs also include Farmers Producer Organizations (FPOs).
 - Any other beneficiaries that may be included by the Department of Fisheries, Gol as targeted beneficiaries.
- Aims and objectives
 - Gradual Formalization of the unorganized fisheries sector through self registration of fishers, fish farmers and supportive workers under a National Fisheries Sector Digital Platform including creation of work based digital identifies of fish workers for improved service delivery.
 - Facilitating access to institutional financing fisheries sector micro and small enterprises.
 - Providing one-time incentive to beneficiaries for purchasing aquaculture insurance.
 - Incentivizing fisheries and aquaculture microenterprises through performance grants for improving fisheries sector value-chain efficiencies including creation and maintenance of jobs.
 - Incentivising micro and small enterprises through performance grants for adoption and expansion of fish and fishery product safety and quality assurance systems including creation and maintenance of jobs.

4. Forever Chemicals

- Researchers recently demonstrated a new lab-based method to detect traces of Forever Chemicals from food packaging material, water, and soil samples in just three minutes or less.

About Forever Chemicals:

- PFAS (Per- and polyfluorinated alkyl substances), also known as the Forever Chemicals, are a large chemical family of over 4,700 highly persistent man-made chemicals.

- These were first developed in the 1940s and are now found in a variety of consumer products, including nonstick pans, water-resistant textiles, and fire suppression foams, due to their ability to repel both grease and water.
- PFAS are the most persistent synthetic chemicals to date. They hardly degrade in the natural environment and have been found in the blood of people and animals all over the world, and are present at low levels in a variety of food products.
- The secret to PFAS's indestructibility lies in its chemical bonds. PFAS contains many carbon-fluorine bonds, which are the strongest bonds in organic chemistry.
- These chemicals also cause pollution at every stage of production. At the PFAS chemical manufacturing facilities and garment factories, they often contaminate the air, water, and soil of the surrounding environment.
- Exposure to PFAS is linked to cancers, weakened immune systems among children, weight gain, and a wide range of other health problems.

5. **DigiReady Certification**

- Recently, the Quality Council of India (QCI) and Open Network for Digital Commerce (ONDC) announced the launch of the DigiReady Certification (DRC) portal.

About DigiReady Certification:

- In this initiative, QCI, in conjunction with ONDC, aims to assess and certify digital readiness of Micro, Small, and Medium Enterprises (MSME) entities.
- By leveraging this online self-assessment tool, MSMEs can evaluate their preparedness to seamlessly onboard as sellers on the ONDC platform, thereby expanding their digital capabilities and business potential.
- The portal is meticulously designed to facilitate a streamlined seller journey, ensuring that MSMEs and small retailers can integrate seamlessly into existing digitized workflows.
- The certification process evaluates various aspects of digital readiness, including the presence of necessary documentation for online operations, proficiency in using software and technology, integration with existing digitized workflows, and efficient management of orders and catalogue offerings.
- Significance: This initiative presents additional business prospects for sellers, allowing them to become integral to the digital ecosystem.

Key points about Quality Council of India:

- It was established in 1997 jointly by the Department for Promotion of Industry & Internal Trade (DPIIT), the Ministry of Commerce & Industry, and the Indian industry.
- It is registered as a non-profit organization under the Societies Registration Act XXI of 1860.
- It is operated through the constituent Boards of QCI, primarily the National Accreditation Board for Certification Bodies (NABCB), and the National Accreditation Board for Testing & Calibration Laboratories (NABL).
- Composition
 - It is governed by a Council of 38 members with equal representations of government, industry and consumers.
 - The Chairman of QCI is appointed by the Prime Minister on the recommendation of the industry to the government.

ANSWER WRITING

Q. Discuss the role of integrity as a cornerstone of ethical governance in public administration.

Answer: Integrity in public administration refers to honesty, transparency, and moral uprightness in decision-making and behavior. It plays a pivotal role in establishing trust and credibility in government institutions.

In the context of public administration, the role of integrity is multifaceted and extends across various dimensions:

- Upholding the Public Interest: Public officials with integrity prioritize the public interest above personal gain or political motives. They ensure that policies and decisions are made for the benefit of the citizens they serve rather than for individual or partisan interests.
- Promoting Accountability and Credibility: Integrity fosters accountability by holding public officials responsible for their actions and decisions. Transparent and ethical conduct enhances the credibility of government institutions and reinforces public trust.
- Ensuring Fairness and Impartiality: Integrity promotes fairness and impartiality in the administration of public affairs. Public officials treat all individuals and groups equitably, without bias or discrimination, ensuring equal access to resources and services.

- **Combating Corruption and Unethical Conduct:** Integrity serves as a bulwark against corruption and unethical behavior in public administration. Public officials with integrity uphold ethical standards, resist temptations of bribery or favoritism, and work to eradicate corrupt practices.
- **Safeguarding Institutional Integrity:** Maintaining integrity within public administration institutions is essential for preserving their legitimacy and effectiveness. Upholding ethical governance standards ensures that government institutions operate with integrity and serve the public interest effectively.

Conclusion

Integrity is fundamental to ethical governance in public administration, fostering trust, accountability, and fairness. Public officials must prioritize integrity in their actions and decisions to uphold the credibility and legitimacy of government institutions.

MCQs

- Consider the following Countries:
1. Poland 2. Germany
3. Denmark 4. Spain
How many of the above-mentioned countries belong to the Weimar Triangle?
(a) Only two (b) Only three
(c) All four (d) None of the above
- Consider the following pairs of Animal sports and respective states:
1. Kambala: Karnataka
2. Jallikattu: Tamilnadu
3. Hori Habba: Punjab
How many of the above pairs are correctly matched?
(a) Only one (b) Only two
(c) All three (d) None
- Consider the following statements regarding the Thanthai Periyar Sanctuary:
1. It is one of the tiger corridors identified by the National Tiger Conservation Authority
2. It is located between the Sathyamangalam Tiger Reserve and the Male Mahadeshwara Wildlife Sanctuary.
Which of the statements given above is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
- Consider the following statements regarding Stem Cells.
1. Embryonic Stem cells have the potential to become almost any cell type and are found during the early stages of development.
2. Adult Stem Cells can multiply when there is a need to repair adult organs and tissues.
3. Induced pluripotent stem cells (iPSC's) are present in almost all organs of the human body.
How many of the above statements is/are correct?
(a) Only one (b) Only two
(c) All three (d) None
- Consider the following statements regarding Frictional unemployment:
1. It occurs when workers lose their current job and are in the process of finding another one.
2. This suggests that zero unemployment is impossible at any one time because some workers will always be in the process of changing jobs.
Which of the above statements is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
- Regarding Lymphatic Filariasis, consider the following statements:
1. It is a Neglected Tropical Disease (NTD) caused by infection with filarial parasites transmitted through dogs.
2. The infection starts in childhood and accumulates through adulthood, resulting in irreversible chronic disease conditions.
Which of the statements given above is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
- Regarding the Global Biodiversity Framework Fund, consider the following statements:
1. It is designed to spur and expedite investment in the conservation and sustainability of wildlife and ecosystems, which are threatened by wildfires, flooding, extreme weather, etc.
2. It will be managed by the Global Environment Facility (GEF) and will raise funds through private, philanthropic, and government investments.
Which of the statements given above is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
- Regarding the Pradhan Mantri Mudra Yojana, consider the following statements:
1. It is the Indian government's flagship initiative to provide affordable credit to micro and small enterprises, aiming to formalize their financial inclusion or "fund the unfunded."
2. Indian citizens with business plans for non-farm income activities under Rs 10 lakh can seek MUDRA loans.
Which of the statements given above is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
- PM- WANI Scheme is related with
(a) Censorship in Print and Digital Media
(b) Development of Lok Sangeet
(c) Audio-Visual Release of Lok Sabha
(d) Availability of Wi-fi in Public places
- KajiNemu, known for its unique aroma and health benefits, belongs to which state/UT:
(a) Gujarat (b) Jammu & Kashmir
(c) Uttar Pradesh (d) Assam