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1.	REVISED CRIMINAL REFORMS BILLS IN PARLIAMENT
2.	GPAI 2023 SUMMIT
3.	PRELIMS POINTERS

REVISED CRIMINAL REFORMS BILLS IN PARLIAMENT

SOURCE: [INDIAN EXPRESS](#)

WHY IN NEWS?

- The Centre has presented three **updated criminal reform Bills** in Lok Sabha, replacing versions introduced in August.
- The Bills aim to replace the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC), and the Indian Evidence Act.
- The previous Bills were referred to a **standing committee**, which proposed key changes.
- While **some recommendations are incorporated**, such as restricting handcuff use and defining "community service," others, like the suggestion to constitute a quasi-judicial board for mercy petitions, remain unaddressed.

OVERVIEW OF PREVIOUS CRIMINAL LAW BILLS:

- **Legislative Changes:**
 - ✓ Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and Bharatiya Sakshya Bill, 2023 (BSB) replace IPC, CrPC, and IEA respectively.
- **Objective:**
 - ✓ Modernize the legal framework and overhaul the criminal justice system.
- **Justice Approach:**
 - ✓ A shift towards **reformatory justice** with community service, but retains a predominantly punitive system.
- **Civil Disputes:**
 - ✓ Retains civil dispute-like offences, causing **injury to individuals rather than offenses against public or state.**
- **Trial Procedure:**
 - ✓ **BNSS includes trial procedures**, but raises questions on whether criminal procedure laws should address maintaining public order.
- **Overlap with Special Laws:**
 - ✓ Retains provisions from IPC and adds from **other special laws**, contributing to potential inconsistencies.
- **Age for Criminal Responsibility:**
 - ✓ **Retains minimum age at seven years**, contrary to international norms.
- **Undertrials and Bail:**
 - ✓ **Prohibits bail for those with multiple pending cases**, contributing to a high proportion of undertrials in jails.
- **Court Directions and Recommendations:**



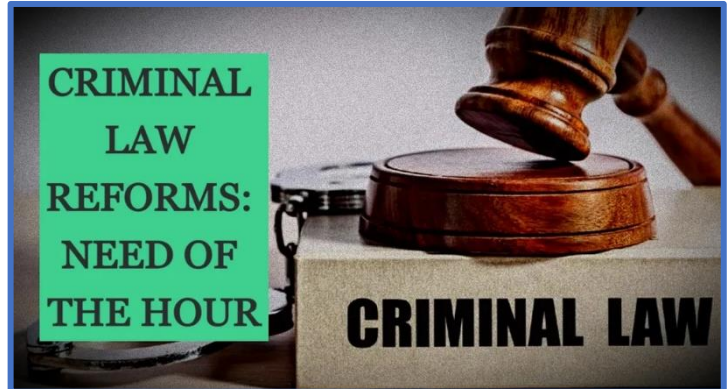


- ✓ Fails to codify court directions and recommendations from committees on various aspects of criminal law.

KEY ISSUES IN CRIMINAL LAW REFORMS:

Modernizing the Criminal Justice System

- **Reformative vs. Punitive Character:**
 - ✓ Bills aim for reformative justice but maintain punitive aspects.
 - ✓ Inconsistencies in bailable and compoundable offenses.
- **Civil Cases Treated as Criminal:**
 - ✓ Retains provisions treating civil disputes as criminal cases.
- **Public Order Functions:**
 - ✓ Retains provisions on maintaining public order, raising concerns about overlap with state subjects.
- **Codification of Court Directions:**
 - ✓ Bills partially codify court directions, lacking comprehensive coverage, especially on arrests and bail.
- **Sentencing Guidelines:**
 - ✓ Lack of guidelines may result in judicial disparity; many jurisdictions adopt such guidelines for consistency.
- **Minimum Age of Criminal Responsibility:**
 - ✓ Retains the age at seven years, contrary to international recommendations.
- **Limited Scope of Bail:**
 - ✓ Restrictions on mandatory bail for undertrials, especially those with multiple charges.
- **Plea Bargaining:**
 - ✓ Limited to sentence bargaining; plea bargaining for lesser offenses not allowed.
- **Committee Recommendations:**
 - ✓ Fails to incorporate recommendations from high-level committees on various aspects of criminal law.



KEY RECOMMENDATIONS AND CHANGES IN THE BILLS:

The previous Bills were referred to a standing committee, which proposed key changes are given below:

- **Handcuffs: Balancing Restrictions:**
 - ✓ The use of handcuffs, allowed for serious offences, faced scrutiny from the Parliamentary Standing Committee.
 - ✓ They recommended restricting it to heinous crimes like rape and murder, excluding "economic offences."
 - ✓ The new Bill incorporates this recommendation, refining the scope of handcuff use.
 - ✓ However, the discretionary use of handcuffs for offences against the state raises questions.
 - ✓ Handcuffs can now be used when individuals are produced before a court.
- **Mercy Petitions:**
 - ✓ The committee proposed establishing a quasi-judicial board for mercy petitions and providing a time frame.



- ✓ *The revised Bill*, while altering the clause numbering, omits the provision for forwarding petitions to the Home Department.
- ✓ It makes the **Governor's orders under Article 161 are now unappealable, broadening the scope of non-challengeable decisions.**
- ✓ Change in **provision numbering from clause 473 to 472.**
- ✓ **Deletion of the provision** allowing mercy petitions to be forwarded for review.
- ✓ **No appeal in any court against the order of the President made under Article 72.**
- **Preventive Detention Powers:**
 - ✓ The committee suggested **specifying the time period for preventive detention** and clarifying ambiguous language.
 - ✓ The **new Bill addresses this** by adding a time limit of 24 hours for detention, bringing clarity to the provision.
 - ✓ The terminology is also modified, replacing "judicial magistrate" with "Magistrate."
- **Community Service:**
 - ✓ The **earlier Bill included "community service"** as a penal measure without defining it.
 - ✓ The **new Bill introduces a clear definition**, stating that it involves work ordered by the court for which the convict receives no remuneration.
 - ✓ Additionally, Community service **extended to offences like unlawfully engaging public servants in trade and non-appearance** in response to a proclamation under Section 84.

Changes proposed in criminal laws

Union home minister Amit Shah has introduced three key bills in the Lok Sabha that, if approved, will overhaul India's criminal justice system. A look at key aspects of the bills

<div style="text-align: center;">THE BHARATIYA NYAYA SANHITA (BNS) BILL, 2023 Proposed to replace Indian Penal Code (IPC), 1860</div> <p>The IPC, which was framed by the British, is the official criminal code of India that lists various crimes and its punishments</p> <p>KEY TAKEAWAYS</p> <ul style="list-style-type: none">• Sedition deleted, but another provision penalising secessionism, separatism, rebellion and acts against sovereignty, unity and integrity of India brought in• Provision of death penalty for gang rape of minors and for mob lynching• Community service introduced as one of the punishments for the first time	<div style="text-align: center;">THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 Proposed to replace Code of Criminal Procedure (CrPC), 1973</div> <p>The CrPC lays down the procedure for investigation, arrest, court hearing, bail and punishment in criminal cases</p> <p>KEY TAKEAWAYS</p> <ul style="list-style-type: none">• Time-bound investigation, trial and judgment within 30 days of the completion of arguments• Video-recording of the statement of sexual assault victims to be made mandatory• New provision for attachment of property and proceeds of crime
<div style="text-align: center;">THE BHARATIYA SAKSHYA BILL, 2023 Proposed to replace the Indian Evidence Act, 1872</div> <p>The IEA applies to all judicial proceedings in the country and defines the particulars of evidence produced and admissible in courts</p> <p>KEY TAKEAWAYS</p> <ul style="list-style-type: none">• Documents to also include electronic or digital records, e-mails, server logs, computers, smart phones, laptops, SMS, websites, locational evidence, mails, messages on devices• Digitisation of all records including case diary, FIR, charge sheet and judgement• Electronic or digital record shall have the same legal effect, validity and enforceability as paper records	

Way Forward:

- **Capacity Building for Law Enforcement:**
 - ✓ **Provide specialized training programs for police officers** on the revised legal procedures.
 - ✓ **Equip law enforcement with updated resources**, including legal databases and manuals.
 - ✓ Establish a **feedback mechanism for officers to report challenges** and seek clarification on legal nuances.
- **Adaptive Legislation Review:**
 - ✓ **Create a legislative review committee** with representatives from **legal academia, judiciary, and civil society.**
 - ✓ **Schedule periodic reviews** to assess the relevance and responsiveness of criminal laws.
 - ✓ **Encourage public participation** through hearings and consultations for continuous improvement.
- **Conclusion:**
 - ✓ By implementing these strategies, the Indian government **can foster a smooth transition to the revised criminal laws, ensuring effective enforcement, public understanding,** and adherence to principles of justice.
 - ✓ It's important to monitor **parliamentary proceedings and public reactions** as the bills progress through each stage.



GPAI 2023 SUMMIT

SOURCE: [INDIAN EXPRESS](#)

WHY IN NEWS?

The Global Partnership on Artificial Intelligence (GPAI) An alliance of 29 members, recently adopted the New Delhi Declaration, emphasizing the dual goals of fostering AI innovation and mitigating associated risks. This declaration stands in contrast to the UK AI Safety Summit's focus on risk mitigation, signifying a shift in India's stance from 'no regulation' to active legislative measures.

WHAT IS GLOBAL PARTNERSHIP ON ARTIFICIAL INTELLIGENCE (GPAI)?

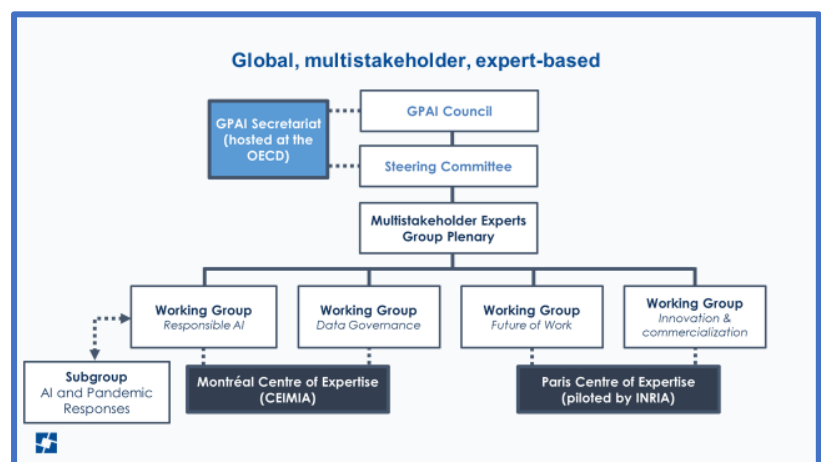
➤ About:

- ✓ The Global Partnership on Artificial Intelligence (GPAI) is a **collaborative initiative that brings together diverse stakeholders**, including experts from **science, industry, civil society, governments, international organizations, and academia.**
- ✓ **Established in June 2020**, GPAI is committed to **bridging the gap between theoretical discussions** and practical applications of Artificial Intelligence (AI).
- ✓ The **initiative operates** based on a **shared commitment to the OECD Recommendation on Artificial Intelligence.**



Objectives of GPAI:

- **Bridge Theory and Practice:**
 - ✓ Facilitate **collaboration between theory and practice in AI.**
 - ✓ Support **cutting-edge research** for responsible AI development.
- **International Cooperation:**
 - ✓ Serve as a **platform for diverse stakeholders** globally.
 - ✓ Encourage collaboration, **sharing research, and addressing AI challenges.**
- **Promote Trustworthy AI:**
 - ✓ Assess AI **impacts transparently** and comprehensively.
 - ✓ **Foster trust in AI technologies** and responsible development.
- **Working Groups:**
 - ✓ Organize **efforts through focused working groups.**
 - ✓ Themes include **responsible AI, data governance**, the future of work, and innovation.
- **Values and Principles:**
 - ✓ **Uphold values from the OECD Recommendation on AI.**
 - ✓ Emphasize **human rights, inclusion, diversity, innovation,** and economic growth.

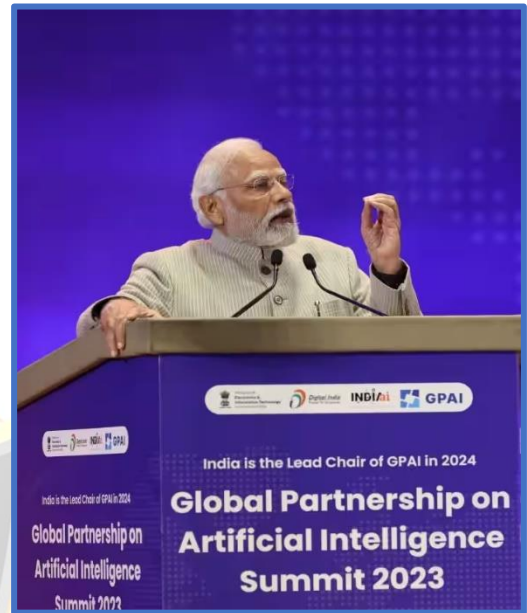




- **Principles for Responsible Stewardship:**
 - ✓ Adhere to principles like **inclusive growth, sustainability, human-centered values, fairness, transparency, explainability, robustness, security, safety, and accountability.**

OVERVIEW OF THE NEW DELHI DECLARATION:

- **GPAI's Positioning:**
 - ✓ The New Delhi Declaration positions the Global Partnership on AI (GPAI) at the forefront, **emphasizing its role in shaping the future of AI** through innovation and collaboration among partner nations.
- **Inclusive Movement:**
 - ✓ GPAI commits to **being an inclusive movement, focusing on the participation of countries** from the Global South.
 - ✓ The **goal is to extend the benefits of AI platforms and solutions globally.**
- **Global Leadership:**
 - ✓ GPAI members **unanimously agree to lead global conversations on AI governance**, emphasizing the importance of **ensuring safety and trust in AI applications.**
- **Regulatory Granularity:**
 - ✓ Recognition that by the next **GPAI meeting in Korea**, there should be definitive and granular regulations around AI.
 - ✓ The group **aims to define specific rules governing user interactions with AI.**
- **Addressing AI Concerns:**
 - ✓ The declaration acknowledges the need to harness AI opportunities while addressing concerns such as **misinformation, unemployment, lack of transparency, protection of intellectual property, personal data, and threats to human rights and democratic values.**



SIGNIFICANCE OF THE NEW DELHI DECLARATION:

- **Mainstreaming AI Conversations:**
 - ✓ The meeting is notable as it occurs after the **rise of generative AI platforms like ChatGPT and Google Bard, bringing AI discussions into the mainstream.**
- **Thematic Priority – Agriculture:**
 - ✓ GPAI members, including India, **identify AI innovation in agriculture as a new thematic priority.**
 - ✓ This aligns with **India's push for resilient agricultural practices**, increased productivity, and climate change adaptation.
- **India's Collaborative Approach:**
 - ✓ The declaration represents a significant win for India, **advocating a collaborative approach in building AI systems.**
 - ✓ It aligns with **India's model of digital public infrastructure (DPI)** and emphasizes global cooperation.
- **Boost for Sovereign AI:**
 - ✓ Access to computing capabilities from **GPAI member nations supports India's plans to develop a sovereign AI system.**



- ✓ This is crucial for countering dominance from a **limited number of foreign companies in the AI space.**
- **Strategic Importance for Agriculture:**
 - ✓ The focus on **AI innovation in agriculture is strategic for India**, aiming to implement resilient practices, **enhance food production**, and strengthen capacity for climate change mitigation and adaptation.

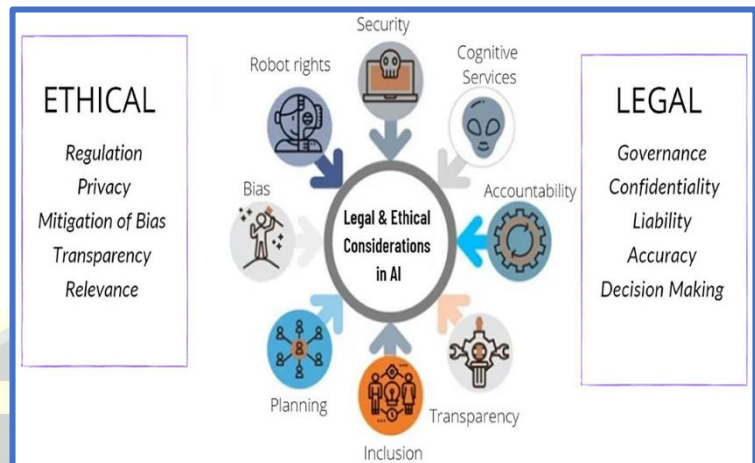
CHALLENGES IN INDIA FOR REGULATING AI:

➤ Changing Regulatory Landscape:

- ✓ The **rapid shift in India's position** on AI regulation poses a challenge in **creating a stable and consistent regulatory environment**, leading to potential confusion among stakeholders.

➤ Ethical Concerns:

- ✓ Balancing the **economic benefits** of AI with ethical considerations and **associated risks requires careful consideration.**
- ✓ Addressing concerns related to **privacy, bias, and misuse of AI is crucial.**



➤ Deepfake Misinformation:

- ✓ The **rise of deepfakes and AI-based misinformation highlights** the challenges of regulating content generated by advanced AI algorithms.
- ✓ Ensuring the authenticity of information becomes a significant hurdle.

➤ Global Collaboration:

- ✓ The call for a **global framework indicates the complexity of regulating AI**, considering its cross-border nature.
- ✓ **Establishing effective international collaborations** and agreements is essential but presents a challenge in terms of coordination and consensus.

➤ Technology Evolution:

- ✓ The **dynamic nature of AI technology poses** challenges in keeping **regulations relevant and adaptable to evolving advancements.**
- ✓ Ensuring that regulations remain effective amid **rapid technological changes is a continuous challenge.**

Way Forward:

➤ Comprehensive Legislation:

- ✓ India **needs to develop comprehensive AI legislation** that addresses ethical concerns, safeguards user rights, and establishes **clear guidelines for responsible AI development** and deployment.

➤ Risk-Based Framework:

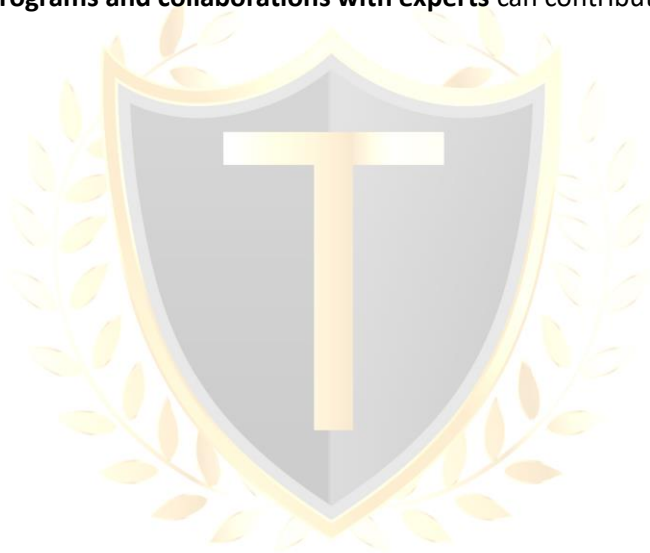
- ✓ Implementing a **risk-based framework, as suggested by TRAI**, allows for a nuanced approach, focusing regulatory efforts where potential harms are greatest while fostering innovation in less risky areas.

➤ International Collaboration:

- ✓ Collaborating with international agencies and governments is essential to create a harmonized global framework.



- ✓ India should **actively engage in discussions to contribute to and benefit from global AI regulations.**
- **Public Awareness and Participation:**
 - ✓ **Ensuring public awareness** and participation in the regulatory process is crucial.
 - ✓ **Involving stakeholders, including the public, industry experts,** and civil society, can lead to more informed and balanced regulations.
- **Adaptive Regulatory Mechanism:**
 - ✓ Establishing a regulatory mechanism that can **adapt to technological advancements is vital.**
 - ✓ Regular reviews and updates to existing regulations will ensure their relevance and effectiveness.
- **Promoting Innovation:**
 - ✓ While regulating AI, **it is essential to create an environment** that fosters innovation.
 - ✓ **Striking a balance between regulation and innovation** will support the growth of the AI sector while mitigating potential risks.
- **Capacity Building:**
 - ✓ **Building expertise and regulatory capacity** within government agencies is essential for effective implementation and enforcement of AI regulations.
 - ✓ **Training programs and collaborations with experts** can contribute to this capacity-building effort.





PRELIMS POINTERS:

TOPIC

Road fatalities rise in India, despite global drop: WHO

DISCUPTION

WHY IN NEWS?

- ❖ The **World Health Organization (WHO)** has reported a **global decrease of 5% in road traffic deaths**, totaling **1.19 million annually between 2010 and 2021**.
- ❖ However, **India recorded a concerning 15% increase in fatalities** during the same period, reaching **1.54 lakh in 2021**.

KEY HIGHLIGHTS OF THE REPORT

❖ **Global Trends:**

- ☛ The WHO's '**Global Status Report on Road Safety 2023**' reveals a **positive global trend with a 5% reduction in road traffic fatalities**, showcasing progress in **108 United Nations member countries**.

❖ **Indian Scenario:**

- ☛ In contrast, **India** witnessed a **notable increase in road traffic deaths**, rising from **1.34 lakh in 2010 to 1.54 lakh in 2021**, marking a **15% surge**.

❖ **Top-performing Countries:**

- ☛ **Ten countries, including Belarus, Denmark, Japan, and the United Arab Emirates**, successfully achieved a **reduction of over 50%** in road traffic deaths.
- ☛ **Thirty-five countries made substantial progress**, achieving a **30% to 50% reduction**.

❖ **Age-specific Impact:**

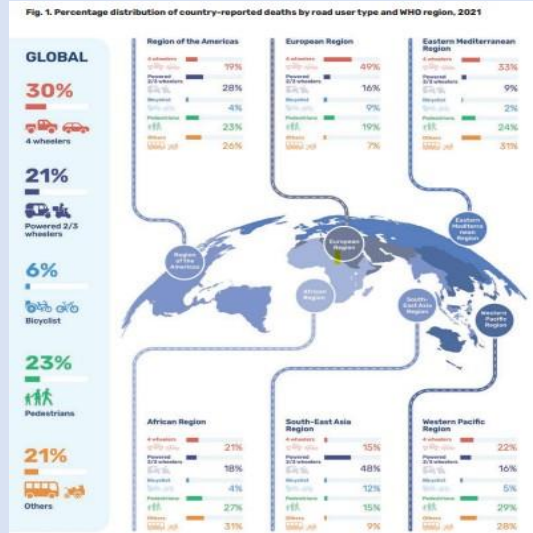
- ☛ As of 2019, road crashes were the leading cause of deaths among **individuals aged five to 29 years**, and the **12th leading cause of deaths across all age groups**.
- ☛ **Two-thirds** of these deaths occurred among **people of working age**.

❖ **Decade Progress:**

- ☛ **Despite a 5% reduction** in absolute numbers of road traffic fatalities, the **global population increased by nearly 14 billion (13%)** in the past decade.
- ☛ The **road fatality rate per 1 lakh people declined from 18 in 2010 to 15 in 2021**, reflecting a **16% reduction**.

❖ **Vehicle Growth:**

- ☛ The global motor vehicle fleet **expanded by 160% during the same period**.
- ☛ This growth led to a **41% reduction in annual fatality rates per 1 lakh vehicles**, dropping from **79 deaths to 47 deaths**.





carbon capture and storage (CCS) and carbon-dioxide removal (CDR) technologies.

❖ **Regional Distribution:**

☛ The WHO's **South-East Asia Region** accounted for **28% of global road traffic deaths**, followed by the Western Pacific Region (**25%**), the African Region (**19%**), the Region of the Americas (**12%**), the Eastern Mediterranean Region (**11%**), and the European Region (**5%**).

❖ **Disparities in Low-Income Countries:**

☛ **Nine out of 10 road traffic deaths occur in low- and middle-income countries**, where the risk of death is **three times higher compared to high-income countries**.

☛ However, low-income countries **possess only 1% of the world's motor vehicles**.

WHY IN NEWS?

❖ The **ongoing COP28** climate talks in Dubai have brought attention to the discussions around **carbon capture and storage (CCS)** and **carbon-dioxide removal (CDR)** technologies.

❖ The term "**abatement**" in draft decisions has become contentious, **emphasizing the need to understand the meaning and limitations of CCS and CDR**.

WHAT IS CCS AND CDR

Carbon Capture and Storage (CCS):

❖ **Definition:**

☛ **CCS involves technologies that capture carbon dioxide (CO₂) at emission sources before its release into the atmosphere.**

❖ **Sources:**

☛ Common sources include **the fossil fuel industry (coal, oil, and gas combustion for power generation)** and industrial processes like **steel and cement production**.

❖ **Applications:**

☛ Applied techniques include **capturing emissions at the source and storing them permanently**, notably in geological formations.

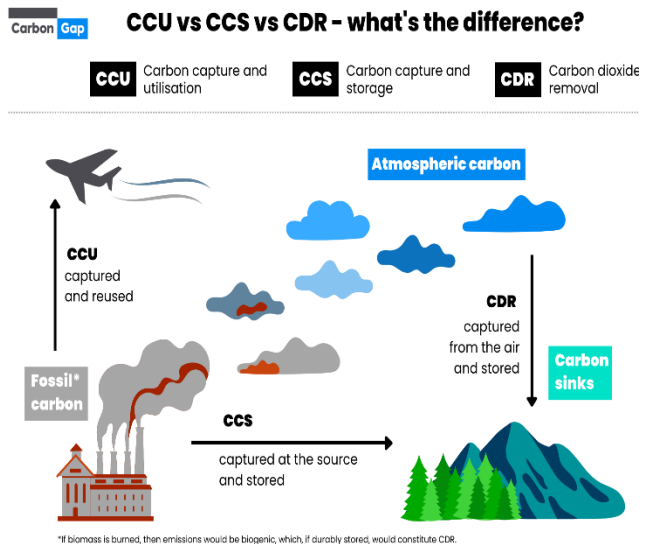
Carbon-Dioxide Removal (CDR):

❖ **Definition:**

☛ **CDR encompasses natural and technological means to remove CO₂ from the atmosphere.**

❖ **Natural Means:**

☛ Examples include **afforestation, reforestation, and other nature-based solutions**.





Parliament security breach

❖ Technological Means:

- ☛ Direct air capture, enhanced rock weathering, and **bioenergy with carbon capture and storage (BECCS)** are advanced CDR technologies.

WHY IN NEWS?

- ❖ In a concerning security breach on December 13, 2023, two individuals accessed the Lok Sabha chamber by utilizing authorization passes issued by **BJP MP Pratap Simha**.
- ❖ The incident raises questions about the vetting process for visitor passes and the accountability of MPs endorsing them.
- ❖ The rules governing visitor passes stress the **personal acquaintance of members with applicants and require a certification of responsibility from MPs**.



VISITOR PASS ISSUANCE RULES:

- ❖ **Governance:**
 - ☛ Rule 386 of Lok Sabha's Rules of Procedure and Conduct of Business.
- ❖ **Speaker's Orders:**
 - ☛ Admission of strangers regulated by Speaker's orders.
- ❖ **Member Responsibility:**
 - ☛ Members can apply for visitor cards for **those well-known to them personally**.
- ❖ **Certification:**
 - ☛ Members provide a **certificate taking responsibility for the visitor**.
- ❖ **Security Measures:**
 - ☛ Visitors must carry a **photo identity card**.

HISTORICAL CONTEXT

Bhagat Singh's 1929 Act:

- ❖ **Heroic Act:**
 - ☛ **Bhagat Singh and Batukeshwar Dutt's 1929 bomb and pamphlet act** in Delhi's Central Assembly.
- ❖ **Objective:**
 - ☛ To challenge the **British-controlled Indian Parliament** and highlight repressive measures.

Context of 1929:

- ❖ **Political Situation:**
 - ☛ **Montague-Chelmsford Reforms of 1919** fell short of Indian nationalists' autonomy demands.
- ❖ **Revolutionary Response:**
 - ☛ HSRA, led by **Chandrashekhar Azad**, sought to **expose the farce of the Indian Parliament**.

Message of Revolutionaries:

- ❖ **HSRA Pamphlet:**



- Aimed to "**make the deaf hear**" by challenging the oppressive actions of the British government.

- ❖ **Protest Against Repressive Measures:**

- **Opposition to Public Safety and Trade Disputes Bills.**

