

**DAILY
CURRENT
AFFAIRS
ANALYSIS**

LAKSHYA ACADEMY®

17 AUGUST 2023

1 – About the Katchatheevu:

GS II

International Relations

- **Context:**

- The Indian Prime Minister recently made a statement in the Parliament during a vote of no confidence in which he alluded to the island of Katchatheevu.

- **Important details:**

- In the Palk Strait, between India and Sri Lanka, is a 285-acre desolate island known as Katchatheevu.
- Northeast of Rameswaram, it is 33 kilometres from the Indian coast.
- The lone structure on the island is St. Anthony's church, a Catholic shrine constructed in the early 20th century.
- During a yearly event, priests from Sri Lanka and India perform the ceremony, and pilgrims from both nations attend.
- Katchatheevu is not a place that can support long-term habitation because there is no reliable source of water there.

- **History:**

- In terms of geological chronology, the island, which was formed by a volcanic eruption in the fourteenth century, is relatively young.
- In the early Middle Ages, it was ruled by the Sri Lankan Jaffna monarchy.
- However, the then-British colonies of India and Sri Lanka both claimed sovereignty of Katchatheevu in 1921 in order to set fishing restrictions.
- A British delegation from India disagreed with the survey's findings that Katchatheevu belonged in Sri Lanka since they believed the Ramnad dynasty ruled the island.
- This argument was finally resolved in 1974.
- This was decided.
- In 1974, Indira Gandhi made an effort to resolve the conflict over the maritime border between India and Sri Lanka.
- As part of this accord, known as the "Indo-Sri Lankan Maritime Agreement," Indira Gandhi "ceded" Katchatheevu to Sri Lanka.

- According to the agreement, access to Katchatheevu was nevertheless made available to Indian fishermen.
- Sadly, the agreement could not find a solution to the fishing rights issue.
- Indian fishermen are only allowed admission to Katchatheevu, according to Sri Lanka, for visa-free rest, drying of nets, and visits to the Catholic shrine.
- Another agreement prohibited fishing in any nation's Exclusive Economic Zone during the Emergency in India in 1976.
- **Policy on Katchatheevu in Tamil Nadu:**
- Without the approval of Tamil Nadu's state assembly, Katchatheevu was ceded to Sri Lanka.
- The Tamil Nadu Assembly once more advocated for the return of Katchatheevu and the restoration of Tamil fishermen's fishing rights after India's disastrous involvement in the Sri Lankan Civil War in 1991.
- Since then, Katchatheevu has frequently come up in Tamil politics.
- *Source → The Hindu*

2 – About the new provisions for sedition:

GS II

Parliament related issues

- **Background:**
- The Bharatiya Sanhita Suraksha Bill, 2023, which was introduced in the Lok Sabha, will replace the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act.
- **Important prohibitions against sedition:**
- Section 150 of the Bharatiya Nyaya Sanhita Bill, 2023 lists sedition as a crime.
- Instead of using the word "sedition," it describes the offence as endangering India's sovereignty, unanimity, and integrity.
- The new regulation covers both financial support activities and actions that incite subversive or separatist attitude.
- The Commission had recommended include the phrase "tendency to incite violence or cause public disorder" in the amendment.

- Additionally, it distinguished between a propensity to incite violence and proof of actual violence or a real threat of violence, characterising the latter as merely a propensity.
- **Prevailing sedition laws:**
 - The Indian Penal Code (IPC) Section 124A addresses sedition.
 - It stipulates that a fine, a life sentence, or a punishment that might last up to three years in prison would be imposed on anyone who incites hatred, contempt, or provokes disaffection towards the legitimate authority.
 - "Disaffection" is the term used to describe disloyalty and other unpleasant feelings.
 - This provision is not violated by remarks that condemn government activities with the intent of altering them lawfully but without inciting or attempting to inspire hatred, contempt, or disaffection.
 - This section is not violated by remarks that criticise a government policy or other conduct without inciting or attempting to inspire hatred, contempt, or disaffection.
- *Source → The Hindu*

3 – All about the three bills to overhaul India's Criminal Justice system:

GS II

Parliament related issues

- **Context:**
 - The Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, and the Bharatiya Sakshya Bill, respectively, are intended to replace the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act.
- **Adjustments in CrPC:**
 - Technology use has increasing.
 - Online proceedings may be used for trials, appeals, and the recording of depositions, including those given by officials and law enforcement personnel.
 - The accused's statement can also be captured using video conferencing.

- You can online submit documents including summonses, warrants, police reports, and statements of evidence.
- It is required to audio-videotape the victim's statement, the investigation of the crime scene, and the search and seizure of things and property.
- Each apprehended suspect's name, address, and offence information will be kept on file by a designated officer and must be prominently displayed in every police station and district office, including online.
- Electronically submitted information to the police will be recorded if it is signed by the sender and received within three days.

- **Tools for communication:**

- A court or police officer must order the production of any document or device that could potentially contain digital evidence in order to conduct an inquiry.
- Electronic communications include any written, spoken, visual, or video content that is sent from one person or device to another, from one person or device to another, or from one person or device to another.

- **The use of handcuffs:**

- Using handcuffs during an arrest may be permitted if the suspect is a habitual, repeat offender who has escaped from custody or has committed:

- a criminal organisation
- terror strike
- offences relating to drugs
- unapproved use of guns
- murder, rape, and an acid attack
- counterfeit currency
- human trafficking
- a youngster has been sexually assaulted or
- infringements of the law.

- **Specified safety measures:**

- Section 41A of the Criminal Procedure Code, which offers a major deterrent against arrests, will be replaced by Section 35.

- **Additionally, it has the following phrase:**

- No arrest may be undertaken without the approval of an officer with the level of constable SP or above in cases where the offence involves a punishment of less than three years or if the suspect is a disabled person older than 60.
- In cognizable cases where the offence carries a sentence of 3–7 years, the police officer will launch a preliminary investigation after receiving information to determine if there is a case to press within 14 days.
- **Requests for mercy:**
 - The rules specify the deadline for submitting mercy petitions in situations involving the death penalty.
 - Within 30 days of learning from jail officials how the petition was handled, a death row inmate, his legal heir, or a relative may submit a mercy petition to the governor.
 - The applicant has 60 days to petition the President if the request is denied.
 - An appeal against the President's order cannot be heard by any court.
- **Authorization to file charges:**
 - The government must decide whether to sanction or deny a prosecution of a public employee within 120 days of receiving a request.
 - In the event that the Government fails to comply, the sanction shall be deemed to have been implemented.
 - There is no need for punishment in cases involving, say, sexual offences or trafficking.
- **A display of weapons:**
 - Under Section 144A of the Criminal Procedure Code, the district magistrate has the power to outlaw carrying weapons during any procession, mass drill, or mass training in order to preserve public peace.
 - The provisions in Section 144 of the CrPC that permit the DM to give instructions regarding a nuisance or suspected risk in an emergency are still in effect, but the ban on carrying weapons is not mentioned.
- **Samples collected in confidence:**
 - According to the bill's provisions, a person may be asked by the magistrate to provide samples of his signature, handwriting, voice, or finger impressions for an investigation without being detained.

- **The accused need not be present for the trial to continue:**

- An accused person who has given up his or her right to a fair trial for any offences may still be tried and convicted without him or her in court.
- The Bill states that the accused may be tried even if he is not present 90 days after the day the charges are filed.
- Strict anti-terror laws like The Unlawful Activities (Prevention) Act (UAPA) mandate trials in absentia in situations where an alternative criminal law framework is appropriate.
- In such legislation, the burden of proof is reversed, shifting it from the state to the accused, who has the burden of proving his innocence as opposed to the state, which has the burden of proving the accused's guilt.

- **IPC alterations:**

- New provision against deceptive promises to wed
- A clause in the proposed Bharatiya Nyaya Sanhita, 2023, forbids using "deceitful means" to promise marriage to women.
- The IPC from 1860 does not have a part like that.
- False promises of employment or promotion, inducements, or getting married after hiding one's identity are examples of dishonest means.

- **Difference between making a false marriage commitment and breaking a promise:**

- There is a misunderstanding of the facts that invalidates the woman's consent when the promise to marry is untrue and the maker's aim at the time was not to abide by it from the beginning itself but to deceive the woman to convince her to participate in sexual relations.
- A broken promise, however, cannot be considered a false promise in and of itself.

- **Variations in numbers:**

- **420 of the IPC: Cheating:**

- Section 316 of the proposed bill has been suggested to replace IPC Section 420, which deals with deceitfully procuring the delivery of property.
- The current bill does not contain a section 420.
- IPC Section 124, which previously dealt with the crime of sedition, has been superseded by Section 124, which now deals with the crime of unlawful restraint.
- The suggested Sanhita does not contain the word sedition.
- Section 150 of the draught Sanhita defines "Acts endangering sovereignty, unity, and integrity of India" as including offences of the type defined as "sedition" in the IPC.

- **Murder, IPC Section 302:**

- Murderers are subject to punishment under IPC Section 302.
- The crime of "Snatching" is defined under Section 302 of the proposed legislation.
- Murder is handled by Section 99 of the Draught Sanhita, which distinguishes between culpable homicide and murder.
- Section 101 of the Criminal Code specifies the penalties for murder, which include lynching.

- **IPC Section 307: Murder Attempt:**

- The planned Sanhita's Section 307 outlines the crime of robbery and its associated penalties.
- Section 107 of the Draught Sanhita addresses attempted murder and specifies the appropriate penalty.
- The important exception for "marital rape" is included in IPC Section 375, which also defines the crime of rape and what constitutes rape.
- IPC Section 376 specifies the penalty for rape, which ranges from seven years to life in prison with additional, more severe penalties for certain types of offenders.
- There is no Section 376 in the planned Sanhita.
- Section 63 of the Draught Sanhita defines the crime of rape.
- Additionally, the exception for marital rape was kept.

- **IPC Section 120B: Conspiracy to commit a crime:**

- "Voluntarily causing hurt or grievous hurt on provocation" is a topic covered in Section 120 of the Draught Sanhita.
- Under Section 61(1), criminal conspiracy is covered.

- **IPC Section 505: Expressions inciting hostility or stirring up hatred:**

- Section 505 is absent from the planned Sanhita.
- The planned Sanhita's Section 194 defines the offence of encouraging hostility between various groups on the basis of race, religion, place of birth, residency, language, etc., and acting in a way that undermines the maintenance of harmony.

- **IPC Section 153A: Fostering animosity among various groups:**

- Receiving property "taken by war or depredation mentioned in sections 153 and 154" is an offence in the Draught Sanhita's Section 153.

- **IPC 499: Defamation:**

- There is no Section 499 in the proposed new Sanhita.
- According to Section 354 (1) of the new Sanhita, slander is a crime.
- In the planned Sanhita, Section 354(2) lists "community service" as one of the penalties for slander.

- *Source → The Hindu*

4 – About the Strange Ecosystem below Seafloor Hydrothermal Vents:

GS I

Geography related issues

- **Context:**

- Underneath hydrothermal vents, in volcanic cavities, a global team of scientists has discovered a new biosphere.

- **Key conclusions:**

- For the first time, scientists have searched beneath these volcanic hot springs for creatures.
- The scientists revealed cave networks filled with worms, snails, and chemosynthetic bacteria living in water temperatures of 25 degrees Celsius by using an underwater robot, ROV SuBastian, to overturn portions of volcanic crust.
- The researchers discovered evidence of species from vents, including tubeworms, moving through vent fluid beneath the bottom to colonise new habitats.
- Although tubeworms are the primary inhabitants of hydrothermal vents, only few of their young have been discovered in the water above these vents.

- **There are two dynamic vent habitats:**

- Animals living in vents above and below the surface coexist harmoniously, relying on the oxygen in the air above the sea and vent fluid from below.

- *Source → The Hindu*

5 - Tharosaurus Indicus:

GS I

History related issues

- **Context:**

- The oldest dinosaur plant-eating fossils have been found in Rajasthan.

- **Important details:**

- Tharosaurus indicus, a new species estimated to be 167 million years old, gets its name from the western Indian Thar Desert, where the fossils were discovered.
 - The ribs, neck, tail, and other vertebrae from this dinosaur's backbone (vertebrae) serve as its representation.
 - Tharosaurus is distinguished by split neural spines (upper portions of the backbone), which resemble spikes, and vertebrae with deep, lengthy depressions on the sides and under surface.
 - The 'Thar' sauropod occupies a rather basic place in the dicraeosaurid sauropod family tree.
 - The earliest dicraeosaurid was discovered in China and was 166–164 million years old.
 - India belonged to the Gondwanan supercontinent and was connected to South America by Madagascar and Africa.
 - The diplodocoid sauropods' migration from India to Africa and South America, and from there to North America to Europe and Asia, would have been made easier by these geographical linkages.
- **Source** → *The Hindu*