

**DAILY
CURRENT
AFFAIRS
ANALYSIS**



LAKSHYA ACADEMY®

16 FEBRUARY 2024

1 - Government Jobs for People Vacated from Criminal Cases:

GS II

Government Policies and Interventions:

- **Context:**
- Given that the individual from Haryana was found not guilty in a 2019 case under the Protection of Children from Sexual Offences (POCSO) Act, 2012, the Punjab and Haryana High Court recently ordered the Centre to reevaluate the employment of that individual as a policeman in the Indo-Tibetan Border Police (ITBP).
- The Ministry of Home Affairs (MHA) revoked the individual's appointment due to moral turpitude through an order.
- **What does moral turpitude mean?**
- The phrase "moral turpitude," as the Supreme Court observed in the P. In Mohanasundaram v. President, 2013, a precise definition is absent.
- It includes behaviours that go against fairness, integrity, modesty, or morality and imply a corrupt and evil nature or temperament of the person being accused of them.
- **What Case Is This Concerning?**
- The policeman, who was recruited in 2022 on the basis of compassionate appointment, could have had his appointment revoked if he had disclosed that he had been found not guilty in a criminal matter involving penetrative sexual assault under Section 4 of the POCSO Act, 2012.
- Furthermore, he was charged under multiple provisions of the Indian Penal Code, 1860, encompassing offences such as poisoning, kidnapping, and criminal intimidation.
- Even after a Kaithal Court in Haryana cleared him of all allegations in 2019, he still had to deal with his position being cancelled.
- The Ministry of Home Affairs' policy regarding appointments to the Central Armed Police Forces (CAPF) for people whose criminal charges are registered, pending trial, or under investigation guided this move.
- Even if they are eventually found not guilty by reason of benefit of doubt or witness intimidation, people who have been charged with significant crimes or shown moral turpitude are often not fit to be appointed to the CAPF.

- **What Rules Has the Court Established for the Appointing of People with Criminal Cases to Public Positions?**

- In Avtar Singh v. Union of India, 2016, a three-judge Supreme Court bench considered the selection of a nominee embroiled in a criminal case.
- It decided that information provided to an employer on a candidate's arrest, conviction, or acquittal in a criminal case had to be accurate and free of omissions or incorrect information.
- If an employee is found guilty in a matter that isn't insignificant, the employer has the right to reject his application or fire him.
- If an employee has been acquitted in a case involving moral turpitude or a serious offence on technical grounds, and the acquittal was not obvious or supported by a reasonable doubt, the employer can evaluate all relevant background information and decide whether to keep the employee on.
- In Satish Chandra Yadav v. Union of India, 2023, the Supreme Court ruled that a candidate's acquittal in a criminal case did not automatically entitle them to the post; rather, the employer would still be free to review the candidate's background and determine whether they were a suitable fit for the position.

- **What is meant by Protection of Children From Sexual Offences Act (POCSO), 2012?**

- The POCSO Act, which was passed as a result of India's 1992 adoption of the UN Convention on the Rights of the Child, went into force on November 14, 2012.
- This special law was created to combat sexual exploitation and abuse of minors, crimes that were either not well defined or not sufficiently punished.
- According to the Act, a child is any anyone under the age of eighteen. The Act stipulates penalties based on the seriousness of the offence.
- In an effort to deter offenders and stop similar crimes against children, the Act was further examined and changed in 2019 to introduce harsher punishments, including the death penalty, for sexual offences against minors.
- The POCSO Rules, 2020 have also been announced by the Indian government.

- **Qualities:**

- **Nature Is Gender-Neutral:**

- The Act acknowledges that sexual abuse of any kind, regardless of the victim's gender, can happen to both boys and girls.
- This is consistent with the ideas that laws shouldn't discriminate against gender and that all children have the right to be shielded from sexual abuse and exploitation.

- **Simplicity in Case Reporting:**
- The POCSO Act has made it a specific offence to fail to disclose instances of child sexual exploitation, therefore there is currently enough public awareness to report incidents involving both persons and institutions. Because of this, it is now more difficult to conceal crimes against minors.
- **Indo-Tibetan Border Police Force (ITBPF): What is it?**
- A Central Armed Police Force under the jurisdiction of the Indian government's Ministry of Home Affairs is the Indo-Tibetan Border Police Force (ITBPF).
- The Indian Technology Bureau (ITBP) was established on October 24, 1962, amid the India-China War. It is a border patrol agency with expertise in high-altitude manoeuvres.
- Currently, the ITBP is stationed to defend 3488 kilometres of the Indo-China Border, spanning from Karakoram Pass in Ladakh to Jachep La in Arunachal Pradesh.
- In addition, the Force is used for additional internal security tasks including anti-naxal operations.

Source → *The Hindu*

2 - Consequences of There Being No Snow in Kashmir:

GS I

Indian Geography:

- **Context:**
- The lack of snowfall in Kashmir during the winter months has a substantial impact on many facets of the local ecology and economy in addition to the region's tourism industry, especially in well-known sites like Gulmarg.
- **Why Does Kashmir Not Get Any Snow?**
- **Weather patterns and climate:**
- This winter, there has been little snowfall or rain in any part of Jammu and Kashmir or Ladakh, with substantial deficits of 80% in December 2023 and 100% in January 2024 (i.e., no rain).

- In these areas, winter precipitation primarily takes the form of snowfall, which is essential to the local climate.
- **Reduction in Unrest in the West:**
 - A progressive rise in temperatures, perhaps caused by climate change, and a decrease in Western Disturbance episodes have been linked to the overall trend of decreased snowfall.
 - The main cause of winter precipitation in the Himalayan region is Western Disturbances.
 - There has been a downward tendency in the quantity of Western Disturbance events, which has led to a decrease in total precipitation over the winter.
 - Large rain-bearing wind systems known as "Western Disturbances" originate outside of Afghanistan and Iran and move eastward, bringing moisture with them from as far away as the Atlantic and Mediterranean Seas.
- **El Nino and Climate Change's Role:**
 - Numerous research have shown that Kashmir's decreasing snowfall is partly caused by climate change.
 - Snowfall is further impacted by the faster rate of temperature increase in upper elevation places compared to the lowlands.
 - It is proposed that an additional element influencing global air circulation and contributing to the region's precipitation shortfall is the ongoing El Nino event in the eastern Pacific Ocean.
 - In the past ten years, Jammu & Kashmir has experienced a few relatively dry winters with very little snowfall, including in 2022, 2018, and 2015.
- **What Would Happen in Kashmir If There Was No Snowfall?**
- **Immediate and Prolonged Effects:**
 - A rise in agricultural drought, a decrease in crop yield, and an increase in forest fires are some of the immediate consequences.
 - Long-term implications include decreased production of hydroelectricity, increased glacier melting, and negative effects on the supply of drinking water because of decreased groundwater recharge.
- **Crucial to Winter Plants:**
 - Winter crops, especially horticulture, depend on the winter snow because it keeps the soil moist. When there is not enough snowfall, the yields of apples and saffron—two important commodities for the local economy—are negatively impacted.

- **Effect on Travel:**

- Due to a lack of snow, Gulmarg, a popular winter tourist destination in Kashmir, is seeing a dramatic drop in visitor numbers this year. Even with a significant influx of tourists in 2023, officials anticipate a minimum 60% decrease in foot traffic.
- The local economy is being negatively impacted by ski resorts and other companies due to the lack of snow.

Source → The Hindu

3 - Prior Authorization for an Official Government Investigation:

GS II

Judiciary related issues

- **Context:**
- The request of the previous chief minister of Andhra Pradesh to nullify the First Investigation Report (FIR) in the alleged Skill Development Scam case was met with a divided ruling by the Supreme Court (SC) recently.
- Judges can't agree on whether the Andhra Pradesh Crime Investigation Department (CID) needed 'Prior Approval' from the state government before investigating public officials who were allegedly involved in corruption.
- **What Was the Supreme Court's Decision?**
- Regarding the meaning and applicability of Section 17A of the Prevention of Corruption Act, 1988, the Supreme Court rendered a divided decision.
- According to one judge, prior authorization was required before beginning an investigation into potential PC Act violations involving the former CM. He did, however, provide the state permission to request this approval and declined to revoke the remand order.
- In those cases where a different judge maintained the high court's decision to reject the FIR and ruled that Section 17A would not apply retroactively.
- The Justice added that there was no irregularity in the high court's judgement or the contested remand order.
- The Chief Justice of India (CJI) has been tasked with providing suitable guidance on the topic in light of the differing perspectives.

- **What was the Andhra Pradesh Skill Development Scam?**

- Claims against former Chief Minister Chandrababu Naidu and the embezzlement of money intended for a skill development programme are at the centre of the Andhra Pradesh skill development scam.
- The skill development project, which cost Rs 3,356 crores, was examined in 2021.
- In December 2021, a formal complaint was lodged against Chandrababu Naidu. About Rs 241 crores that were allotted for the project, according to the Crime Investigation Department (CID), were allegedly transferred to five shell corporations.

- **What Does It Mean To Have Previous Approval Before Looking Into Government Officials?**

- Before beginning an inquiry or investigation into claims of corruption against public officials, investigators—especially those working for organisations such as the Crime Investigation Department (CID) or the Central Bureau of Investigation (CBI)—must obtain prior approval from the government or another appropriate authority.
- Before taking any official action, such filing a First Information Report (FIR) or starting a thorough investigation, this clearance is required.

- **Lawful Requirements:**

- Provisions of the Delhi Special Police Establishment Act, 1946, which were later merged into the Prevention of Corruption Act, 1988, provide the legal basis for the requirement of "Prior Approval."
- When the requirement was first implemented in 2003, it stated that if the accused possessed a rank higher than joint secretary, consent from the central government was required before investigating offences under the Prevention of Corruption Act.
- But in 2014, the SC invalidated this condition. Later, in 2018, the Prevention of Corruption Act was amended to reinstate a comparable provision (Section 17A).
- This clause states that if a public servant is accused of breaking the Act while doing their official duties, consent from the federal, state, or other appropriate authority is needed before opening an inquiry or investigation.

- **Justification:**

- The 'prior approval' requirement is justified by the necessity to safeguard public officials from politically driven or perhaps false inquiries while also balancing the need to investigate incidents of wrongdoing involving public officials.
- It is viewed as a procedural precaution to make sure that inquiries are carried out sensibly and under the proper supervision, avoiding the abuse of investigative authorities.

- **What Obstacles Exist for the Granting of Prior Approval?**
- If "prior approval" is required, it becomes very difficult to ascertain if a public official committed a crime while doing their official duties.
- It is difficult to obtain information and determine whether there is a strong case against the official if you are unable to carry out a preliminary investigation.
- It may be more difficult for police officers and investigative agencies to respond to corruption claims in a timely and efficient manner if they are required to seek "prior approval."
- This load can cause the investigation process to lag, which might enable dishonest officials to avoid detection or carry on with their business.
- **The Way Ahead:**
- A thorough examination of the current "Prior Approval" laws is required, and changes to accommodate stakeholder concerns must be taken into consideration.
- Strike a compromise between the requirement for prompt investigations and the oversight offered by "Prior Approval." Rethink the requirements for requesting approval so that the start of investigations is not excessively delayed.
- Provide 'Prior Approval' to investigate public officials based on transparent and unambiguous standards. This may entail defining the cutoff point for the accusations' seriousness or the official's rank in question.

Source → *The Hindu*

4 – Global Surgery:

GS II

Health related issues:

- **Context:**
- The forgotten stepchild of global health is global surgery. With the greatest population in the world and the least access to necessary surgery, South Asia is where the negligence is most startling.
- **Global Surgery: What Is It?**
- **About:**

- Equitable Access to Critical and Emergency Surgery is the main emphasis of global surgery. Although its primary focus is on Low- and Middle-Income Countries (LMICs), it also gives priority to underserved populations in High-Income Countries (HICs) and discrepancies in access.
- These "surgeries" comprise necessary and urgent procedures including anaesthesia (SOTA), trauma, obstetrics, and surgery.
- **Past:**
 - Often called the "Annus Mirabilis" or "miracle year" for worldwide surgery, 2015 saw several significant advancements that revolutionised the industry. The World Bank (WB)-sponsored Disease Control Priorities Network (DCPN) report emphasised the substantial disease burden that may be surgically treated as well as the cost-effectiveness of necessary surgery.
 - A significant contribution was made by the Lancet Commission on Global Surgery (LCoGS), which evaluated the availability of surgical care worldwide, established readiness indicators, and suggested initiatives such as the National Surgical, Obstetrics, and Anaesthesia Plan (NSOAP).
 - The World Health Organisation (WHO) Declaration on Safe Surgery (WHO Resolution 68.15), which emphasised the crucial role surgical systems play in achieving Universal Health Coverage, was made possible as a result of this.
- **What are Global Surgery's Challenges and Disparities?**
- **Unavailability:**
 - Five billion people, or more than 70% of the world's population, do not have timely access to safe and reasonably priced surgical treatment when they need it, according to the LCoGS.
 - 99% and 96% of people, respectively, in low- and lower-middle-income countries (LLMICs) and 24% in high-income countries (HICs) experience access disparities.
 - Over 98% of people lack access to safe and reasonably priced surgical care, especially in South Asia.
- **Burden of Disease:**
 - In 2010, the number of deaths from surgically curable illnesses exceeded the combined mortality from HIV/AIDS (Acquired Immunodeficiency Syndrome), malaria, tuberculosis, and HIV/AIDS combined.
 - Approximately 77 million Disability-Adjusted Life-Years (DALY) that could have been prevented through surgery occur in low- and middle-income countries (LMICs), accounting for 3.5% of the overall illness burden in these nations.

- South Asia contributes significantly to surgically avoidable burdens in diseases of the newborn and mother, congenital defects, digestive disorders, and traumas. Its DALY rate is higher than the LMIC average.
- **Financial Burden:**
 - In purchasing power parity terms, the lack of surgical care expansion is expected to cause a cumulative loss to the global GDP of USD 20.7 trillion across 128 nations by 2030.
 - For 175 nations, the annual loss in public wellbeing is projected to be around USD 14.5 trillion.
 - South Asia makes up roughly 7% of the world's lost welfare.
- **Insufficient Representation in Global Health Reports:**
 - Less than 1% of the metrics included in significant international health reports from UNICEF, WHO, and the World Bank include surgery.
 - The underrepresentation could lead to a decrease in the importance of global health programmes and the distribution of resources.
- **Inattention when Creating National Policies:**
 - Many national health strategy plans, including those from India and Africa, give surgery very little consideration. While some plans just briefly discuss surgery and surgical conditions, others make no mention at all.
 - The development of comprehensive healthcare systems may be hampered by this lack of priority in national strategies.
 - Global surgery receives much less funding and attention in research than areas related to global health as a whole.
 - The deficiency in research focus is emphasised by the small number of "global surgery" titles in databases such as PubMed compared to "global health" titles.
 - This discrepancy could make it more difficult to develop evidence-based surgical care procedures.
- **Connected Difficulties:**
 - Underprioritization can occur when one area, such policy or research, is neglected, which can lead to more neglect in other areas.
 - The absence of representation in global reports may have an impact on national policies, which in turn has an impact on financing and attention for research.
- **Way Ahead:**

- In order to produce evidence-based procedures, innovations, and solutions, research in global surgery needs to be encouraged and supported. Funding for research into surgical procedures, their results, and healthcare delivery models that can be modified for environments with limited resources should be given priority.
- Encouragement is required for nations to create and execute NSOAPs as a sign of their dedication to enhancing surgical care on a national scale. The staff, infrastructure, and surgical systems can all be strengthened with the use of NSOAPs.
- It is imperative to promote ongoing and expanded funding for surgical care. Provide financing sources that give surgical infrastructure, education, and service delivery top priority. Assist governments, philanthropic groups, and foreign contributors in allocating funds for global surgery projects.

Source → The Hindu

5 - Cabo Verde Announced as a Malaria-Free Nation:

GS II

Health related issues:

- **Context:**
- The World Health Organisation (WHO) recently proclaimed Cabo Verde to be malaria-free.
- Cabo Verde is now the third nation in the WHO's African region to be recognised as malaria-free, after Algeria and Mauritius.
- **What is the Certification Process for Malaria Elimination?**
- **About:**
- When a country has demonstrated that it has stopped the national spread of malaria for at least three years and has a fully operational surveillance and response mechanism in place to stop the resurgence of indigenous transmission, the World Health Organisation certifies that nation as being malaria-free.
- **Worldwide Situation:**
- 43 nations and 1 territory have received the WHO's "malaria-free" designation thus far.

- South East Asian Region: The WHO has declared that Sri Lanka (2016) and the Maldives (2015) are malaria-free zones.
- India isn't officially declared malaria-free.
- **What is malaria?**
- Plasmodium parasites are the source of malaria, a blood disease that can be fatal and spread by mosquitoes.
- Human malaria is caused by five different species of Plasmodium parasites, of which P. falciparum and P. vivax represent the biggest threats.
- Most cases of malaria occur in tropical and subtropical regions of Asia, South America, and Africa.
- The bite of a female Anopheles mosquito carrying the malaria virus spreads the disease.
- After biting an infected person, the mosquito contracts the infection. The next person the mosquito bites gets bitten by the malaria parasites, which subsequently enter their circulation. After migrating to the liver, the parasites infect red blood cells.
- Malaria symptoms include fever and flu-like symptoms, such as chills, headache, aches in the muscles, and fatigue. Notably, malaria is treatable as well as preventable.

Source → *The Hindu*



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