

**DAILY
CURRENT
AFFAIRS
ANALYSIS**



LAKSHYA ACADEMY®

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1 - Submarine Optical Fibre Connection Project Kochi-Lakshadweep Islands:

GS II

Government Policies and Interventions

- **Which are the KLI-SOFC Project's salient features?**
- Lakshadweep's lack of digital connectivity necessitated the installation of a high-capacity undersea cable link because satellite communication was constrained and the bandwidth could not keep up with the increasing demand.
- **KLI-SOFC Initiative:**
 - A faster internet will be made possible by the KLI-SOFC project, opening up new avenues for growth.
 - With this initiative, Lakshadweep will experience Submarine Optic Fibre Cable connectivity for the first time since gaining independence.
 - The technology that sends data as light pulses through glass or plastic fibre is known as fibre optics, or optical fibre.
 - The project was finished by the Department of Telecommunications (DOT) with funding from the Universal Services Obligation Fund (USOF). The organisation that carried out the project was Bharat Sanchar Nigam Limited (BSNL).
 - Underwater cable access to eleven Lakshadweep Islands—Kavaratti, Agatti, Amini, Kadmat, Chetlet, Kalpeni, Minicoy, Androth, Kiltan, Bangaram, and Bitra—was extended by the KLI project from the mainland (Kochi).
- **Importance:**
 - The project supports the implementation of several e-governance initiatives in the Lakshadweep Islands and is in line with the objectives of "Digital India" and the "National Broadband Mission."
 - The islands' e-government, tourism, education, health, commerce, and industries will all see major improvements that will raise living standards and advance socioeconomic growth overall.
 - Fibre to the Home (FTTH) and 5G/4G mobile network technology will enable high-speed wireline broadband connectivity for the Lakshadweep Islands' inhabitants.
 - All communication Service Providers (TSPs) will have access to the bandwidth created by the initiative, bolstering the communication infrastructure in the Lakshadweep Islands.
- **Kadmat's Low-Temperature Thermal Desalination (LTTD) Facility:**

- generates 1.5 lakh gallons of potable water each day. Agatti and Minicoy Islands have functional household tap connections (FHTC).
- On the Agatti and Minicoy islands, every home now has a working household tap connection.
- Warm surface seawater is flash evaporated at low pressure using the LTTD process, and the vapour is then condensed with cold deep sea water.

- **Kavaratti Solar Power Plant:**

- The first solar power installation in Lakshadweep to be powered by batteries.

- **Kalpeni Primary Health Care Facility:**

- The redevelopment of Kalpeni's principal healthcare facility has its foundation stone put.

- **Model Nand Ghars, or Anganwadi Centres:**

- There will be five model Anganwadi centres, or Nand Ghars, built on the islands of Minicoy, Agatti, Chetlat, Kadmat, and Androth.

- **What Are the Lakshadweep Islands' Most Important Facts?**

- Lakshadweep, the smallest Union Territory in India, is an archipelago of 36 islands covering 32 square kilometres.
- Kavaratti serves as both the UT's capital and its main town.
- The distance between Kochi, a coastal city in Kerala, and the islands in the emerald Arabian Sea ranges from 220 to 440 km.
- In Malayalam and Sanskrit, the term Lakshadweep translates to "a hundred thousand islands."
- The average temperature in Lakshadweep, which has a tropical climate, ranges from 27 to 32 degrees Celsius.
- Ship-based tourism is closed during the monsoon season because of the favourable climate.
- Via an administrator, the Centre has direct authority over it.
- The entire native people is categorised as a Scheduled Tribe due to their social and economic regression.
- There are no Scheduled Castes in this Union Territory, according the Scheduled Tribes and Scheduled Castes list (modification orders), 1956.
- The world's first sea cucumber conservation area, the Dr. KK Mohammed Koya Sea Cucumber Conservation Reserve, was created in 2020 by the Lakshadweep Islands administration. It is located in the Cheriyapani Reef and covers 239 square kilometres.

- **Source → The Hindu**

2 - India and Pakistan Exchange Nuclear Installation Lists Every Year:

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International Issues

- **What is the Agreement on the Prohibition of Attacks on Facilities and Installations of Nuclear Energy?**
- The Prohibition of Attack against Nuclear Installations and Facilities Agreement was signed on December 31, 1988, by Indian Prime Minister Rajiv Gandhi and Pakistani Prime Minister Benazir Bhutto.
- The agreement became operative on January 27, 1991.
- The most recent exchange of these lists marks the 33rd in a row that the two nations have done so; the first one occurred on January 1st, 1992.
- Background: Although other causes may have been involved, the tension created by the Indian Army's 1986–1987 Brasstacks exercise served as the direct catalyst for the agreement's negotiation and signature.
- A military drill known as Operation Brasstacks was held in the Indian state of Rajasthan, close to the Pakistani border.
- Mandate: In order to create a climate of security that fosters confidence, the agreement requires both nations to notify one another on January 1st of each year of any nuclear sites and facilities that fall under its purview.
- The agreement states that any installation containing fresh or irradiated nuclear fuel and materials in any form, as well as establishments storing sizable amounts of radioactive materials, are considered "nuclear installations or facilities." This includes nuclear power and research reactors, fuel fabrication, uranium enrichment, isotope separation, and reprocessing facilities.
- **Which are the main points of contention between Pakistan and India?**
- **Conflict in Kashmir:**
- Frequent ceasefire violations along the Line of Control have led to casualties and an increase in tension.
- Disagreements about Demilitarisation: The lack of response to calls for demilitarisation on both sides of the LoC impedes efforts to reach a peaceful conclusion.
- **Terror:**
- Cross-border Infiltration: India has accused militants backed by Pakistan of entering the LoC in order to launch terrorist operations.

- **Terror Group Designation:** Cooperation in the fight against terrorism is hampered by the disparities in the two nations' classifications of militant groups as terrorist organisations.
- **Effect on Civilian Populations:** Terrorist acts cause the deaths of innocent people and increase hostility between the two groups.
- **Sharing of Water:**
 - **Building of Dams:** Conflict over building hydroelectric projects and dams on the Indus River and its tributaries, which affects water rights and flow.
 - **Application of the Indus Water Treaty:** Variations in the interpretation and application of the treaty's provisions pertaining to the distribution of water and procedures for resolving disputes.
- **Economic and Trade Relations:**
 - **Trade Barriers:** Both countries' high tariffs and restrictive trade policies obstruct cross-border commerce and economic interconnectedness.
 - **Due to constitutional revisions enacted in the Jammu and Kashmir area, Pakistan suspended trade with India in August 2019.**
 - **After Pakistan's Most Favoured Nation (MFN) designation was revoked in the wake of the Pulwama terrorist attack, India placed a 200% tariff on imports from Pakistan in 2019.**
 - **Limited Cross-Border Investment:** Businesses in both nations are discouraged from investing or forming joint ventures due to political unrest and security concerns.
 - **Dependence on External Trade Routes:** Using trade routes outside of the area drives up expenses and decreases productivity for both economies.
- **Localised Geopolitics:**
 - **China's Role in Pakistan:** Growing Chinese influence and investment in Pakistan, particularly through initiatives like the China-Pakistan Economic Corridor, raises questions for India regarding power dynamics and strategic alignments.
- **How Can Pakistan and India Proceed with Dispute Resolution?**
- **Developing Measures of Confidence:**
 - **Creating clear, safe lines of communication at different levels to facilitate candid discussion and crisis resolution is one way to strengthen communication.**
 - **De-escalation at the LoC entails putting ceasefire agreements into effect and bolstering them, pulling down on troop deployments, and setting up cooperative procedures for looking into infractions.**
 - **People-to-People Initiatives:** Encouraging intellectual and cultural interactions, athletic activities, and cooperative projects tackling shared issues like healthcare and climate change.

- **Resolving Fundamental Concerns:**

- Kashmir dispute resolution: Talking things out, taking into account the aspirations of the Kashmiri people, and adhering to international legal frameworks in order to find a fair and long-lasting solution to the Kashmir problem.
- Fighting Terrorism: stepping up cooperative efforts to take down terrorist networks, dealing with funding and ideological origins, and making sure those responsible for previous actions are held accountable.
- Water cooperation includes investigating cooperative water management projects for mutual benefit, executing the Indus Water Treaty efficiently, and transparently exchanging data and information.

- **International and Regional Collaboration:**

- Promoting mediation involves facilitating discussions in regional fora like the SAARC and looking for solutions that satisfy both sides.
- Maintaining a Balance with External Influences: In order to prevent jeopardising bilateral progress, both nations must manage their relations with major external players like China and the US.

- **Promoting Public Support and Understanding:**

- Promoting responsible media coverage, steering clear of derogatory stereotypes, and highlighting inspiring tales of collaboration and shared history are all examples of media responsibility.

- *Source → The Hindu*

3 – Section 132 of the Income Tax Act, 1961:

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Government Policies and Interventions

- **What does the Income Tax Act of 1961's Section 132 mean?**

- The Taxation on Income (Investigation Commission) Act, 1947, which was overturned by the Supreme Court in *Suraj Mall Mohta v. A.V.*, was replaced by the clause that was added to the Income Tax Act, 1961. Visvanatha Sastri (1954) on the grounds that it violated the Article 14 of the Constitution's provision of equal treatment by treating a particular class of assesses differently from others.

- The 1922 income tax act did not grant authorities for search and seizure.
- According to Section 132 of the Income-Tax Act, 1961, tax authorities are able to search and seize people and property without first obtaining a court order if they have a "reason to believe" that the individual has hidden or avoided paying taxes.
- It gives police the right to examine locations, cars, buildings, and aircraft if they have reason to believe that someone is concealing financial assets.
- It permits the confiscation of any valuables found during the search, including jewellery, money, bullion, books of accounts, and other objects. In addition, tax authorities may confiscate such objects under the Act if they are discovered in the possession of any individual during a search or survey.

- **Case Associated with Income Tax Act of 1961, Section 132:**

- **Director of Inspection v. Pooran Mal (1973):**

- This clause was contested as unconstitutional in the 1973 case of Pooran Mal v. Director of Inspection.
- The Supreme Court affirmed the legislation, referencing its own ruling in M.P. Sharma v. Satish Chandra (1954) by highlighting the fact that the authority to search and seize is governed by law and is necessary for the preservation of social security.
- The court further pointed out that, unlike the Fourth Amendment in the United States, the Constitution does not recognise a basic right to privacy for searches and seizures.
- The Fourth Amendment of the United States Constitution guards against arbitrary government searches and seizures.
- It was determined that the constitutional protection under Article 20(3) is not undermined by statutory provisions for searches.
- The decision in M.P. While searches conducted under the Income-Tax Act do not need a judge's approval, Sharma was concerned about searches conducted under the Code of Criminal Procedure.
- Since then, the Court's interpretation of the law has evolved, with M.P. Formally, Sharma is overruled. Nowadays, it is believed that the right to privacy is inextricably linked to the personal liberty that Article 21 of the Constitution protects.

- **What are the obstacles pertaining to Income Tax Act of 1961 Section 132?**

- **Violating the principle of proportionality:**

- Even if Section 132 of the Income-Tax Act hasn't been officially contested, there may have been a violation of the proportionality principle.
- The law of proportionality now governs the state's authority to search and seize, replacing its previous interpretation as a straightforward social security tool. This means that its use must have a justifiable purpose that is rationally related to its goal, that no less intrusive alternatives are available, and that a balance is established between the right being infringed and the means selected.

- In the *Principal Director of Income Tax v. Laljibhai Kanjibhai Mandalia*, 2022 case, the Supreme Court demonstrated its reliance on the "Wednesbury" principle, an administrative review norm that originated from a UK court ruling and treats search opinions as administrative rather than judicial.
- According to the Wednesbury principle, decisions that are so irrational that no rational authority could ever make them are susceptible to being overturned by a judge.
- Opponents contend that the Wednesbury rule should no longer apply in the post-Puttaswamy era, particularly in cases involving basic rights, and that any executive action must strictly adhere to statutory law.

- **Infringement upon the Right to Privacy:**

- According to Article 21 of the Indian Constitution, the right to privacy is a fundamental freedom that encompasses protection from arbitrary searches and seizures as well as the secrecy of personal data.
- However, income tax searches violate people's privacy without their knowledge or agreement and are frequently conducted on shaky premises, which opens the door to misuse.
- In addition, insufficient controls and oversight procedures exist to stop abuse and defend the rights of those who are searched on the internet.
- Without strong protections, people are vulnerable to tax authorities abusing their authority.
- **Duration and Search Conditions:**
- Concerns concerning the scope and conditions of such searches are brought to light by the Gujarat High Court's investigation of a raid in which people were allegedly held in virtual custody for days without the necessary protections.

- **Way Ahead:**

- Expand the judiciary's role in evaluating the administration of Section 132 by eschewing the Wednesbury principle and implementing a stricter scrutiny threshold to determine if executive measures are proportionate.
- Provide an impartial monitoring body or ombudsman with the power to look into complaints, make sure people are held accountable, and suggest changes when there seems to have been an abuse of power.
- Additionally, there should be restrictions on the length and scope of IT searches.

- **Source** → *The Hindu*

4 - Immoral Traffic (Prevention) Act, 1956:

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Government Policies and Interventions

- **The Immoral Traffic (Prevention) Act of 1956: What is it?**
- **About:**
- The purpose of the Immoral Traffic (Prevention) Act (ITP), 1956, is to stop the trafficking of women and the commercialization of vices.
- It outlines the legislative parameters pertaining to sex employment. Although the act does not specifically make sex work illegal, it does forbid operating brothels. While it is allowed to engage in prostitution, it is unlawful to approach individuals and entice them to engage in sexual acts.
- **What Brothel Means:**
- Any location where sexual exploitation or abuse is carried out for the benefit of another individual or the mutual benefit of two or more prostitutes is classified as a brothel under Section 2.
- **What constitutes prostitution?**
- The statute defines prostitution as the sexual exploitation or abuse of individuals for profit.
- **Violations of the Act:**
- Section 5 of the legislation imposes penalties on individuals who obtain, coerce, or abduct people for the purpose of prostitution. A stiff sentence of three to seven years in prison and a fine of Rs 2,000 are part of the punishment.
- The maximum sentence for crimes against the will of the offender or a minor is fourteen years or life.
- A child is an individual who has not reached the age of sixteen.
- **What was decided by the Kerala High Court?**
- Because the petitioner frequented a brothel, he was taken into custody. Accused of violating Sections 3 (operating a brothel or permitting its use), 4 (surviving off proceeds from prostitution), 5 (obtaining, enticing, or removing people for prostitution), and 7 (punishing prostitution in or near public areas) of the ITP Act,
- The defendant entered a plea in which he requested discharge, claiming that the ITP Act should not have implicated him as a consumer.

- Deciding
- Although the 1956 Act does not define the term "procure" specifically, the Kerala High Court construed it in light of the act's goal of stopping immoral trafficking and preventing prostitution.
- The court decided that since customers are included in the term, they can be billed under Section 5.
- **Consequences of the Decision:**
 - The Kerala High Court's decision broadens the definition of "procure" under Section 5, stating that consumers may now be held accountable for obtaining people for prostitution, in addition to pimps and brothel owners.
 - The decision permits charges to be filed, requiring a trial, but it does not find the petitioner guilty under Section 5.
 - Notably, the High Court cleared the petitioner of all charges related to Sections 3, 4, and 7.
- **Various High Court Views:**
 - **The State of Kerala v. Mathew (2022):**
 - A client who is discovered in a brothel may face charges under the ITP Act, the Kerala High Court decided. Two categories of people are subject to penalties under Section 7(1) of the Act for engaging in prostitution inside the designated zones.
 - The HC stated that these individuals are (i) those who engage in prostitution and (ii) those who assist in such prostitution. It further stated that an immoral trafficking act cannot be committed or continued without a "customer."
 - Sri Sanaula v. State of Karnataka (2017) and Goenka Sajan Kumar v. State of AP (2014):
 - The High Courts of Andhra Pradesh and Karnataka decided not to prosecute customers of brothels under sections 3-7 of the ITP Act.
- **What Does Sex Work Legally Enable?**
 - **Sexual Work as a Career:**
 - The Supreme Court has acknowledged sex work as a "profession" and noted that those who engage in it should have similar legal protection, with the application of criminal law being uniform in all circumstances based on "age" and "consent."
 - The Court ruled that having intercourse voluntarily is not illegal.
- **Parity in the Business World:**
 - Judges have ruled that everyone has an equal right to operate any kind of business, regardless of their vocation.
 - In Budhadev Karmaskar v. State of West Bengal (2011), the Indian Supreme Court upheld the rights of sex workers and highlighted the protections provided by Article 21.

- **Basic and Human Rights:**

- The Supreme Court acknowledged the fundamental and human rights of sex workers in the 1989 decision of *Gaurav Jain v. Union of India and Ors*, reiterating their claim to legal protection and dignity.
- The Court determined that the children of sex workers are entitled to treatment, protection, rehabilitation, equality of opportunity, dignity, and inclusion in the "mainstream of social life" without any associated "pre-stigma."

- **What Steps Have Been Done to Deal with Sexual Workers?**

- **Ujjawala:**

- "Ujjawala," a Comprehensive Scheme for the Prevention of Trafficking and Rescue, Rehabilitation, Re-integration, and Repatriation of Victims of Trafficking for Commercial Sexual Exploitation, is being implemented by the Ministry of Women and Child Development.
- The National Commission on Women
- The government's dedication to safeguarding the rights of women and girls engaged in prostitution is demonstrated by the creation of the National Commission for Women.
- Commission on Human Rights at the National Level:
- The NHRC acknowledged sex workers as unofficial labourers.

- **Campaigns for Awareness:**

- In 2018, the Supreme Court pushed the government to address the mistreatment of women in the sex business and explore legalisation in certain areas under strict regulation.
- The government launched extensive public awareness programmes to inform people about the dangers of the commercial sex trade in response to the court's order.

- **What Views Does Society Hold About Sexual Work?**

- **Cultural Shame:**

- Although it is permitted in some areas, prostitution is frequently seen as immoral and a violation of cultural norms. It is seen by certain cultures as a challenge to the sacredness of marriage and the family.
- In India, women who work in the sex industry (WSW) are among the most marginalised and discriminated against groups.
- Because of the stigma associated with their occupation, sex workers frequently experience social isolation.

- **Dynamics of Gender:**

- Many believe that prostitution is an abusive and demeaning industry that primarily targets women.
- The industry is frequently linked to abuse and exploitation.
- Sex workers are particularly vulnerable to physical abuse, discrimination, and the use of insulting language.

- **Promoting Autonomy:**

- Conversely, proponents contend that women need to have the autonomy to choose how they utilise their bodies.
- Some see prostitution as a career that allows women to use their autonomy.

- **Way Ahead:**

- Debate on the moral ramifications of prostitution in India is still going strong. Whatever one's opinion, it is widely agreed that protecting trafficking legislation is essential to preventing women and girls from becoming enslaved.
- Promote candid discussions and educational initiatives to introduce communities to a range of viewpoints on sex work while taking cultural sensitivity into account.
- Stress that all citizens are equal under the law, regardless of the career they choose.
- *Source → The Hindu*