

**DAILY  
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ANALYSIS**



LAKSHYA ACADEMY®

**04 JANUARY 2025**

# 1 - CEC and Other ECs (Designation, Terms of Office, and Conditions of Service) Bill, 2023:

## GS II

### Election related issues:

- **What is the Supreme Court's decision regarding the CEC and EC appointments?**
- The Supreme Court addressed a long-standing legal void surrounding the appointment of the CEC and ECs since the Constitution's adoption in March 2023 by highlighting the crucial importance of an independent Election Commission of India (ECI) in ensuring free and fair elections.
- The SC called attention to other organisations that uphold constitutional democracy and have separate systems in place for choosing their leaders and members.
- cited organisations including the Lokpal, the Central Bureau of Investigation (CBI), the National and State Human Rights Commissions, and the Information Commission.
- The 255th report on electoral reforms by the Law Commission (2015) and the recommendations made by the Dinesh Goswami Committee on Electoral Reforms (1990) were acknowledged by the SC.
- For the purpose of selecting the CEC and ECs, both committees recommended forming a committee with the Prime Minister, the Chief Justice of India (CJI), and the Leader of the Opposition.
- The SC established that the CEC and ECs shall be nominated by a committee made up of the Prime Minister, the CJI, the Leader of the Opposition, or the largest opposition party in the Lok Sabha, exercising its authority under Article 142 (to provide directions for effecting "complete justice" in any matter).
- The SC decided that this procedure would remain in effect until Parliament passed a bill addressing the issue.
- **Which are the Bill's Principal Provisions?**
- The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act of 1991 is being replaced by the Bill.
- It deals with the CEC and ECs' appointment, compensation, and removal.
- **Procedure for Appointments:**
- The President will appoint the CEC and ECs based on the Selection Committee's proposal.
- The Prime Minister, a Union Cabinet Minister, and the Leader of the Opposition or the head of the biggest opposition party in the Lok Sabha shall make up the Selection Committee.

- Even in the event that this Committee has a vacancy, the recommendations made by the Selection Committee will remain in effect.
- A group of names will be recommended to the Selection Committee by the Search Committee, which is led by the Cabinet Secretary.
- Possessing (or having held) a position comparable to that of Secretary to the central government makes one eligible for the positions.

- **Modifications to Salary and Terms:**

- The CEC and ECs will have the same pay and working conditions as the Cabinet Secretary.
- It was the same as a Supreme Court judge's remuneration under the 1991 Act.

- **Method of Removal:**

- Article 324(5) of the Constitution, which permits the removal of the CEC on the same grounds as a Supreme Court judge but restricts the removal of ECs to the CEC's recommendation, is preserved in the Bill.

- **Safety for ECs and CECs:**

- The bill shields CECs and ECs from lawsuits pertaining to actions they took while serving, as long as those actions were performed in the course of performing their official duties.
- The purpose of the amendment was to protect these officials from lawsuits or other legal actions pertaining to their official duties.

- **Currently, how are the ECs and CECs appointed?**

- **Articles of the Constitution:**

- The Constitution's Part XV, which deals with elections, contains merely five articles (324–329).
- The Constitution does not specify a legislative procedure for the CEC and EC appointments.
- According to Article 324 of the Constitution, an Election Commission made up of "the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix" is given "superintendence, direction and control of elections."
- On the recommendation of the Prime Minister-led Union Council of Ministers, the President appoints the new member.
- The Prime Minister is presented with a list of qualified applicants to choose from by the Law Minister. On the PM's recommendation, the President appoints the new member.

- **Elimination:**

- They are free to leave at any moment, or they can be fired before their term is up.
- Only Parliament can remove the CEC from office through a procedure akin to that of a SC judge.

- Removal of any other EC requires the CEC's recommendation.
- **What worries people about the bill?**
- **Openness and Self-Sufficiency:**
  - Under some conditions, allowing the recommendations of the Selection Committee to stand even in the event of a vacancy could lead to a monopoly of ruling party members, undermining the committee's independence and diversity.
- **Transition from Judicial Model to Executive Authority:**
  - Comparing the pay of the Cabinet Secretary, whose compensation is set by the executive branch, to that of the CECs and ECs raises questions about possible government influence.
  - In contrast to the remuneration of a Supreme Court judge, which is determined by an Act of Parliament, this change could jeopardise the EC's financial stability.
- **Restricting Qualifications to Civil Servants:**
  - Limiting eligibility to those who have held a government position equivalent to that of Secretary may disqualify otherwise competent applicants, thereby reducing the variety of experiences and specialisations within the ECI.
- **Concerns Regarding Parity Deficit:**
  - The constitutional clause that permits the CEC to be dismissed similarly to a Supreme Court judge and restricts the removal of ECs to the CEC's recommendation is preserved in the Bill.
  - The unfairness of the removal procedures may be questioned in light of this disparity.
- **International Procedures for Designating Members of Electoral Bodies:**
- **Model from South Africa:**
  - Important players include the president of the Constitutional Court, members of the Human Rights Court, and proponents of gender equality participate in the selection process in South Africa.
  - A wider viewpoint in the electoral body is ensured by placing a strong emphasis on varied representation.
- **United Kingdom Methodology:**
  - In the United Kingdom, the House of Commons must approve candidates for the electoral body.
  - Involving the legislature in the selection process gives it an extra degree of accountability and scrutiny.

- **US Procedure:**

- In the United States, the Senate must confirm the appointments made by the President to the electoral body.
- A balance of power is maintained and unilateral choices are avoided thanks to the dual-check mechanism.

- *Source → The Hindu*

## **2 - Trafficking in Persons:**

### **GS I**

#### **Indian Society:**

- **Which Operation Storm Makers II Highlights Stand Out the Most?**

- **Arrests and Charges:** As a consequence of the operation, 281 people from different nations were taken into custody on allegations of engaging in sexual exploitation, human trafficking, passport fraud, corruption, and telecommunications fraud.
- **Rescues and Investigations:** 149 victims of human trafficking were freed, sparking over 360 investigations, many of which are being actively pursued by law enforcement.
- Interpol reports that the Telangana police filed one of the earliest reports of human trafficking in India with the intention of coercing victims into engaging in cyberfraud.
- An accountant was coerced into taking part in cruel online fraud schemes after being drawn to a nation in Southeast Asia.
- After a ransom was paid, his release was made possible.
- The largest international police organisation in the world is called Interpol, or the International Criminal Police Organisation (ICPO). The goal of Interpol is to support international police cooperation in order to increase global security.
- There are 196 member nations. India joined Interpol in 1949, making it one of the organization's founding members.
- Countries can communicate with the General Secretariat and each other via a secure network. They can also instantly access Interpol's databases and services thanks to it.

- **What is India's current state of human trafficking?**

- **About Human Trafficking:**

- The illicit exchange and exploitation of individuals, usually for the purposes of forced labour, sexual exploitation, or involuntary servitude, is referred to as human trafficking.
- It includes the use of coercion, threats, force, abduction, fraud, or deception to recruit, transport, transfer, harbour, or receive people with the intention of exploiting them.

- **India's current situation:**

- The National Crime Records Bureau (NCRB) reports that in 2022, over 6,500 victims of human trafficking were discovered in India, with women and girls making up 60% of the total.

- **Indian Constitutional and Legislative Provisions Concerning Human Trafficking:**

- Article 23 of the Constitution forbids both human trafficking and begar, or forced labour without compensation.
- The main piece of legislation designed to stop trafficking, particularly for the purpose of commercial sexual exploitation, is the Immoral Traffic (Prevention) Act, 1956 (ITPA).
- The Protection of Children from Sexual Offences (POCSO) Act, 2012, was passed on November 14, 2012, with the intention of protecting minors from exploitation and abuse of their sexuality.
- It offers precise descriptions for a range of sexual abuse behaviours, including penetrating and non-penetrating assaults and sexual harassment.
- The Prohibition of Child Marriage Act, 2006, the Bonded Labour System (Abolition) Act, 1976, the Child Labour (Prohibition and Regulation) Act, 1986, the Transplantation of Human Organs Act, 1994, and relevant sections of the Indian Penal Code, such as Sections 372 and 373 that address the selling and buying of girls for prostitution, are some of the other specific laws that target trafficking in women and children.
- State-Specific Laws: To combat human trafficking, several states have also passed state-specific legislation. One such state-level law that attempts to address this issue is The Punjab Prevention of Human Smuggling Act, 2012.

- **Relevant International Agreement:**

- UN Convention: The UN Convention on Transnational Organised Crime (UNTOC) was ratified by India. It contains a Protocol that is explicitly designed to prevent, suppress, and punish human trafficking, with a focus on women and children.
- Legislative Action: The 2013 Criminal Law Amendment Act provides a clear definition of human trafficking and was passed in order to comply with the Protocol's requirements.
- The SAARC Convention on Preventing and Combating Trafficking of Women and Children for Prostitution was approved by India.

- The International Bill of Rights for Women is another name for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The United Nations General Assembly (UNGA) adopted it in 1979.
- 1993 saw India ratify CEDAW.

- **What Are Human Trafficking's Main Causes and Effects?**

- **Reasons:**

- **Poverty and Economic Inequalities:** When people are struggling financially, they are more likely to be put in precarious situations where they are easily duped by traffickers into believing they have greater possibilities.
- **Lack of Education and Awareness:** People who have not received enough information on the dangers of human trafficking are unable to recognise the strategies traffickers employ, which leaves them vulnerable.
- **violence, Instability, and Displacement:** When people flee to safer places in search of security or safety, areas impacted by natural disasters, political unrest, or violence provide fertile ground for exploitation.
- **societal Marginalisation and prejudice:** Due to societal prejudice and a lack of support systems, marginalised groups—such as women, children, immigrants, and minorities—are frequently more susceptible.
- **Demand for Low-Cost Labour and Services:** Businesses looking for low-cost labour or services occasionally ignore unfair labour practices, which helps to keep human trafficking going.
- **Technology and internet Exploitation:** As a result of technological improvements, internet recruitment has become easier, which has made it simpler for traffickers to entice victims through numerous false tactics.

- **Effects:**

- **Trauma and Psychological Effects:** Serious psychological trauma sufferers experience, which can result in long-term mental health problems such as sadness, anxiety, and a sense of betrayal.
- **Physical Health Complications:** Physical abuse, neglect, and insufficient healthcare are commonplace for victims, which can result in a range of health issues and chronic injuries.
- **Loss of Freedom and Rights:** People who are trafficked lose their freedom and fundamental human rights. They are frequently controlled and exploited, and they frequently live in constant terror.
- **Social Isolation and Stigma:** Even after being saved, survivors must overcome social exclusion and stigma, which makes it difficult for them to reintegrate into society.
- **Global Repercussions:** Trafficking in persons feeds a worldwide criminal network that damages nations' economies, international relations, and social cohesion while undermining international attempts to uphold human rights.

- **Prevention through Awareness and Education:** Put in place thorough educational initiatives to enlighten communities—particularly those that are most at risk—about the dangers and strategies used by human traffickers.
- Increase awareness through media, workshops, and campaigns to encourage alertness and provide people the tools they need to spot and report human trafficking.
- **enhance Legal Frameworks:** To provide stronger protection for victims and stiffer consequences for traffickers, enhance legislation and enforce current laws consistently and effectively.
- Give law enforcement organisations the tools and training they need to stop human trafficking and treat victim situations with compassion.
- **Assistance and Rehab for Victims:** Create all-encompassing victim-focused support networks that offer refuge, medical attention, guidance, and career development opportunities for those who survive.
- Make sure there are reintegration programmes in place that assist survivors in starting over and reintegrating into society stigma-free.
- **International and Regional Cooperation:** Encourage cooperation between nations to exchange data, intelligence, and optimal methods for successful cooperation across borders.
- Adopt and put into effect international agreements and guidelines designed to stop human trafficking.
- **Address the Root Causes:** Develop programmes that provide disadvantaged populations with sustainable livelihood possibilities and economic empowerment in order to address poverty and economic inequality.
- Encourage diversity, equality, and social support networks to fight against marginalisation and social discrimination.
- **Source** → *The Hindu*



## **3 - Constraints on CCS and CDR:**

### **GS III**

#### **Environmental Conservation:**

- **Carbon Capture and Storage (CCS):**

- Technologies that can capture carbon dioxide (CO<sub>2</sub>) at an emission source and stop it from entering the atmosphere are referred to as CCS technologies.
- These sources include the fossil fuel sector, which produces electricity by burning coal, oil, and gas, as well as industrial operations like the manufacturing of steel and cement.

- **Carbon Dioxide Removal (CDR):**

- CDR can take the shape of technology such as direct air capture, where devices mimic trees by absorbing CO<sub>2</sub> from their surroundings and storing it underground, as well as natural methods such as afforestation or replanting.
- More sophisticated CDR technologies exist as well. For example, accelerated rock weathering uses a chemical breakdown of rocks to produce particles of rock that can absorb CO<sub>2</sub> from the atmosphere.
- When biomass, such as wood, is burned, other technologies, such as bioenergy with carbon capture and storage (BECCS), collect and store CO<sub>2</sub>.

- **How well must CCS and CDR function together?**

- These technologies play a major role in the IPCC's Sixth Assessment Report (AR6) forecasts for reaching the target of 1.5 degrees Celsius global warming.
- With a greater than 50% likelihood of keeping global warming to 1.5 degrees Celsius, the IPCC's estimated scenarios are predicated on the idea that by 2040, the globe will be able to sequester 5 billion tonnes of CO<sub>2</sub>. This size of sequestration exceeds the present yearly CO<sub>2</sub> emissions of India.
- The incorporation of CDR technology is a must for achieving the 1.5 degrees Celsius target in AR6.
- Within seven years, there's a good chance we'll be above 1.5 degrees Celsius at current emission rates. At this point, it would be practically hard to mitigate emissions only through direct actions (such adopting renewable energy), necessitating a significant dependence on CDR.

- **What Difficulties Do CCS and CDR Face?**

- **Concerns about Rebound Emissions:**

- There are worries that the use of CCS and CDR may unintentionally increase the amount of space available for ongoing emissions.
- Increased emissions or a continued reliance on fossil fuels rather than a switch to renewable energy sources could result from this situation.

- **Dependency on Fossil Fuels:**

- By injecting collected CO<sub>2</sub> into oil fields, CCS has been utilised in certain instances to extract more oil, which may prolong rather than reduce reliance on fossil fuels.

- **Issues with Land Equity:**

- The land requirement of CDR techniques including direct air capture, BECCS, afforestation, and reforestation limits their application.
- Land in the Global South is frequently seen as "viable" and/or "cost-effective" for large-scale CDR initiatives like tree planting.
- Therefore, these CDR projects may have negative effects on biodiversity and the land rights of indigenous populations. They may also compete with other land uses, such as agriculture, which is essential to maintaining food security.

- **Financial and technological obstacles:**

- The implementation of CCS and CDR technologies at a larger scale presents notable technological obstacles, such as exorbitant expenses, restricted infrastructure, and the requirement for major innovation to render these technologies more economical and efficient.

- **Way Forward:**

- In order to address issues with CCS and CDR, a comprehensive strategy that incorporates technological developments, legislative frameworks discouraging the continued use of fossil fuels, and tactics guaranteeing the ethical and sustainable application of CCS and CDR technologies in line with more general climate goals is needed.
- While integrating CCS and CDR technologies into larger climate policies is crucial, it's important to highlight their position as stopgap measures rather than permanent cures.
- Make sure its implementation doesn't interfere with attempts to decarbonise the economy by adopting sustainable practices, energy efficiency, and renewable energy.

- **Source → *The Hindu***

## 4 - Restrictions on Sugar Diversion for Ethanol:

### GS III

#### Environmental Conservation:

- **What is Blending Ethanol?**

- One of the main biofuels, it is created spontaneously when yeasts ferment carbohydrates or through petrochemical reactions like ethylene hydration.
- Fuel can be mixed with 99.9% pure alcohol to create ethanol.

- **About Ethanol Blending Program (EBP):**

- Reducing the nation's reliance on imported crude oil, lowering carbon emissions, and increasing farmer incomes are the three main objectives.
- The Indian government has moved forward the deadline for mixing 20% ethanol (commonly known as E20) into fuel from 2030 to 2025.
- The average percentage of ethanol blended with petrol in all of India increased from 1.6% in 2013–14 to 11.8% in 2022–2023.

- **Why has the government limited the use of sugar in the production of ethanol?**

- **Concerns about the Sugar Shortage:**

- A probable deficit in sugar output is a source of concern.
- In an effort to alleviate this predicted shortfall, restrictions have been placed on the diversion of sugarcane juice or syrup for the production of ethanol.

- **Putting Food Before Fuel:**

- The choice shows that the production of food (sugar) is prioritised over the production of fuel (ethanol).
- The government is in line with the aim of guaranteeing food security and availability for customers by placing emphasis on the production of sugar, a crucial commodity in India.

- **Handling Changes in Supply and Demand:**

- In the sugar market, the government is trying to maintain a careful balance between supply and demand. It aims to stabilise sugar availability and maybe lessen market price volatility by reducing diversion for ethanol production.

- **What Effects Does This Change Have?**

- **Effect on the Production of Ethanol:**

- This choice lowers the amount of ethanol produced from this valuable feedstock, which accounts for about 28% of the overall amount produced.
- The ban on utilising sugarcane syrup or juice to produce ethanol is anticipated to have an impact on sugar mill profits because these sources are more expensive than other feedstocks used to produce ethanol.

- **Obstacles to Ethanol Blending Objectives:**

- The government has set a goal of attaining 20% ethanol blending in petrol by 2025–2026 and plans to increase the ethanol fuel-blending objective from 12% to 15% in 2023–2024.
- But achieving these goals might be harder now that sugarcane juice and syrup cannot be used to produce ethanol.

- **Which Other Sources Are Used to Produce Ethanol?**

- **Grains:** Starch found in corn (maize), barley, wheat, and other cereal grains can be fermented to produce sugars that can be used to produce ethanol.
- **Cellulosic Biomass:** Cellulose and hemicellulose from forestry leftovers, dedicated energy crops (switchgrass, miscanthus), municipal solid waste, and agricultural residues (corn stover, wheat straw) can be broken down into sugars for the generation of ethanol.
- **Rice:** Broken or damaged grains, as well as excess rice, can be used to produce ethanol. Rice's starch can be broken down into sugars for fermentation.
- **Fruits and Vegetables:** High-sugar fruits and vegetables, such as potatoes and grapes, can be used to produce ethanol.

- **Way Forward:**

- Investigating and promoting the use of substitute feedstocks for ethanol production, such as rice, grains, broken or damaged grains, and cellulosic biomass, is necessary.
- Diversification guarantees a robust supply chain and lessens reliance on sources based on sugarcane.
- Put in place regulations that promote the production of ethanol from a variety of feedstocks. Differential pricing can encourage the production of ethanol from non-sugarcane sources, much like the previous government approach did. Investing in varied feedstock utilisation over the long run is supported by stable and well-defined policy.

- **Source** → *The Hindu*