



**UTTAR PRADESH JUDICIAL SERVICES
MAINS EXAMINATION
CURRENT AFFAIRS**

1. MEDIATION BILL 2021

The Mediation Bill, 2021 was introduced in the Rajya Sabha with the Parliamentary Standing Committee being tasked with a review of the Bill.

Key features of the Bill:

- Mandatory mediation: Before litigation.
- Rights of litigants: It safeguards the rights of litigants to approach competent adjudicatory forums/courts for urgent relief.
- Mediation Settlement Agreement (MSA): It will be legally enforceable and can be registered with the State/District/Taluk legal authorities within 90 days.
- Mediation Council of India: The Bill establishes the Mediation Council of India and also provides for community mediation.

Laws containing mediation provisions:

- Code of Civil Procedure, 1908
- Arbitration and Conciliation Act, 1996
- Companies Act, 2013
- Commercial Courts Act, 2015
- Consumer Protection Act, 2019

2. CRITERION FOR SC STATUS

The government has set up a 3-member Commission headed by former CJI K.G Balakrishnan to study the possibility of according SC status to Dalits who have converted to religions other than Buddhism and Sikhism.

The law in the present form: The Constitution (Scheduled Castes) Order, 1950 provides that only those belonging to Hindu, Sikh and Buddhist communities can be categorized as - SCs. Originally it was limited to only Hindus. However subsequent amendments in 1956 and 1990 included Sikhs and Buddhists respectively.

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

Why are Dalit Christians excluded.

- The practice of “untouchability: It was a feature of the Hindu religion and its branches, not Islam or Christianity.
- The Registrar General of India: It had cautioned the government that SC status is meant for communities suffering from social disabilities arising out of the practice of untouchability, which it noted was prevalent in Hindu and Sikh communities.

3. ISSUES WITH THE GLOBAL HUNGER INDEX

The Ministry of Women and Child Development rejected the Global Hunger Index (GHI) which ranked India 107 among 121 countries. GHI, published by Concern Worldwide and Welthungerhilfe, is computed on four indicators:

- Undernourishment
- Child Stunting (low height for age)
- Child Wasting (low weight for height)
- Child mortality (death of a child under the age of 5)

Issues raised by India:

- FAO estimate is based on the ‘Food Insecurity Experience Scale (FIES)’ survey: It has a small sample size of only 3000 respondents.
- Calculating hunger based on indicators mainly relating to the health of children (three out of four) is neither scientific nor rational for the general population.
- The report chooses to deliberately ignore efforts made by the Government to ensure food Security for the population, especially during the Covid Pandemic.
- Proportion of the Undernourished (PoU) population: The report lowers India’s rank based on the estimates of the Proportion of the Undernourished (PoU) population.

4. ONE HEALTH JOINT PLAN ACTION

FAO, UNEP, WHO and World Organization for Animal Health have together launched One Health joint plan of action to address health threats to humans, plants and the environment.

Action Plan:

- Enhance capacities to strengthen the health system.

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

- Reduce risk from zoonotic epidemics and pandemics.
- Control and eliminate zoonotic, neglected tropical and vector-borne diseases.
- Assess, manage and communicate effectively food safety risks.
- Curb Antimicrobial Resistance (termed as 'silent pandemic').
- Environment and Health Policies must be integrated into One Health.

5. MISSION KARMAYOGI

“Mission Karmayogi”- National Programme for Civil Services Capacity Building (NPCSCB) aims to transition civil services from ‘Rules based’ to ‘Roles based’ Human Resource (HR) Management by aligning work allocation of civil servants by matching their competencies to the requirements of the post, thereby leading to “an effective citizen-centric civil service.”

Its features are:

- **‘On-site learning’ to complement the ‘off-site’ learning:** will ensure citizen-centric approach to governance. E.g., Under the Mission, nearly 95,000 railway staff, including all ticket conductors, reservation and freight clerks and station masters are being trained in better service delivery.
- Create an ecosystem of shared training infrastructure e.g., learning materials, institutions, and personnel.
- Setting up an Integrated Government Online Training-iGOT Karmayogi Platform: to provide curated digital e-learning material for capacity building.
- Using the “70-20-10” formula: Seventy per cent of adult learning comes from job experience, 20 per cent is a result of peer-to-peer sharing, and only 10 per cent comes from classroom teaching.

6. SUPREME COURT DELIVERS SPLIT VERDICT ON KARNATAKA HIJAB BAN

The Supreme Court delivered a split verdict on whether Muslim students should shed their hijabs at their school gates.

Justice H. Gupta upheld Karnataka’s prohibitive government order:

- Apparent symbols of religious belief cannot be worn to secular schools maintained from State funds.

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

- Secularity meant uniformity manifested by parity among students in terms of uniformity.
- **Not amount to the denial of education:** However, if the students were refusing to attend classes, it would not amount to the denial of education by the state.

Justice Sudhanshu Dhulia:

- Secularity: meant tolerance to “diversity”.
- Wearing or not wearing a hijab to school: It is ultimately a matter of choice (Article 19(1)(a))
- Asking the girls to take off their hijab: is invasion of their privacy, it is an attack on their dignity, denial of secular education

7. BILKIS BANO CASE

The Union Home Ministry framed guidelines that 12 categories of convicts, including “prisoners convicted for the offence of rape” are NOT eligible to be released prematurely under a special remission scheme to commemorate 75 years of Independence.

Previously, Gujarat government had released convicts (on remission) in the Bilkis Bano case on completion of their 14 years sentence as their “behavior was found to be good” and after approval from the central government. However, CBI had objected to the release. Prison is a state subject.

Prisoners Eligible for Special Remission:

- Women and transgender convicts of ages 50 and above and male convicts of 60 and above.
- Physically challenged or disabled convicts with 70% disability and more who have completed 50% of their total sentence period.
- Terminally ill convicted prisoners who have completed two-thirds (66%) of their total sentence.
- Poor or indigent prisoners who have completed their sentence.
- Persons who committed an offence at a young age (18-21).

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

8. ASHA WORKER'S VISION FOR INDIA@100

It depicts the views of an ASHA worker on how she envisions India on its completion of 100 years of Independence.

There are two critical issues for ASHA workers:

1. They are not having a fixed income for their work. A fixed income would give them stability in a job where they spend between eight to twelve hours daily.
2. ASHA workers are recognized as “volunteers” currently: Recognising ASHA workers as “workers” allows them dignity and protection, and helps them to be taken seriously – by the state, the gram panchayat responsible for the disbursement of funds, and patients.

Recognition:

- ASHA (Accredited Social Health Activist) workers have received the Global Health Leaders Award - 2022 in the backdrop of the 75th World Health Assembly.
- They were named a “Guardian of the Year” by Time magazine in 2020.

9. A COURT OF THE FUTURE: FINE-TUNING MECHANISMS OF ACCOUNTABILITY WITHIN JUDICIARY.

The Supreme Court of India renders ultimate judgment on decisions not only of the High Courts (18 for 28 states + 8UTs) but also national and state tribunals operating throughout India.

Related Constitutional provisions (Article 141):

- The law declared by the Supreme Court shall be binding on all courts within the territory of India. This means, there is hardly any area of legislative or executive activity that escapes the scrutiny of the highest court.

Precautions SC needs to take in the future:

- Preserve its independence: It is best protected by the judges themselves through institutions established by statutes or judicial decisions. For example, the Collegium system.
- Efficient court/case management: It is important for reducing the backlogs of pending cases.

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

10. TWO-FINGER TEST

The Supreme Court declared that any person conducting the invasive 'two-finger' or 'three-finger' vaginal test on rape or sexual assault survivors will be found guilty of misconduct.

Two-finger test: The test is conducted to check whether the victim has had recent sexual intercourse, the victim of rape or sexual assault.

SC said:

- The test has no scientific basis: It neither proves nor disproves allegations of rape.
- Court also ordered the two-finger test to be removed from the syllabus of medical education.
- The court ordered that the guidelines be circulated to private and government hospitals.
- **2013 SC order:** Two-finger test and its interpretation violate the right of rape survivors to privacy, physical and mental integrity and dignity.
- **World Health Organization (WHO) guidelines:** A rape test kit, detailing tools are required to collect evidence of the sexual assault.
- **Section 53A in the Indian Evidence Act:** The evidence of a victim's character or her previous sexual experience with any person shall not be relevant to the issue of consent or the quality of consent in the prosecution of sexual offences.

11. ONE NATION, ONE ITR FORM

The Central Board of Direct Taxes (CBDT) has proposed a single income tax return (ITR) form for all taxpayers.

Kinds of ITR forms:

There are seven kinds of ITR forms, which are used by different categories of taxpayers.

Change that has been proposed

All taxpayers, barring trusts and non-profit organisations (ITR-7), will be able to use a common ITR form, which will include a separate head for disclosure of income from virtual digital assets.

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009

12. 22ND LAW COMMISSION

After two and a half years, the 22nd Law Commission of India has been constituted with Justice (retd) Rituraj Awasthi as its head. Commission would have a tenure of three years.

Terms of reference of 22nd Law Commission:

- Identify laws which are no longer needed or relevant and can be immediately repealed.
- Examine the existing laws in the light of Directive Principles of State Policy and suggest ways of improvement and reform.
- Suggest such legislation as might be necessary to implement the Directive Principles.
- Revise the Central Acts of general importance so as to simplify them and remove anomalies, ambiguities and inequities.

The Law Commission of India is a non-statutory body that is constituted by a notification of the Government of India, with definite terms of reference to carry out research in the field of law.

13. 50TH CHIEF JUSTICE OF INDIA (CJI)

- Justice D Y Chandrachud was sworn in as the 50th Chief Justice of India (CJI) by the President of India.

Important benches D Y Chandrachud has been part of:

- Ayodhya land dispute
- Right to Privacy
- Medical Termination of Pregnancy Act (include unmarried women for abortion)
- Decriminalising same-sex relations (Sec 377)
- Validity of the Aadhaar scheme
- Sabarimala temple entry of women

14. RULE OF LAW INDEX 2022

World Justice Project released this report, saying the global Rule of Law has declined for the fifth year in a row.

- India has been ranked 77 (out of 140 countries)
- Topped by Denmark

Key observations:

- Authoritarian trends that predate the pandemic continue to erode the rule of law.
- Checks on executive power are weakening and respect for human rights is falling.
- Rule of law is a key underpinning of democracy, which is faltering in many countries around the world.

15. PRADHAN MANTRI GARIB KALYAN ANNA YOJANA SCHEME (PMGKAY)

Government extended PMGKAY in September this year.

Significance of the scheme:

Initially introduced to help the poor fight the battle against Covid-19 IMF working paper concluded that “the social safety net provided by the expansion of India’s food subsidy program absorbed a major part of the pandemic shock”

Features of the scheme

- 80 crore NFSA beneficiaries will get 5 kg wheat or rice and 1 kg of preferred pulses for free every month per person (this is apart from 35 kg per month per family under Antyodaya Anna Yojana and 5 kg per month per person for Priority Households, under National Food Security Act (NFSA))
- PMGKAY covers even Direct Benefit Transfer (DBT) beneficiaries.
- Its nodal Ministry is the Ministry of Finance

Visit us at: www.karatlawzacademy.com | Mail us at: karatlawzacademy@gmail.com

Contact us at: 8929514009