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सत्यमेव जयते



MK Yadav Sir

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DTE

June 24

LAKE NATRON

(Syllabus: GS Paper 3 – Env and Eco)

Flamingos under threat: Climate impact jeopardising delicate balance of Tanzania's Lake Natron



Context: Millions of pink flamingos transform the alkaline waters of Lake Natron in northern Tanzania into a dazzling sea of fluttering feathers every day.

Lake Natron

- **About:** It is located in northern Tanzania on the border with Kenya, lying within the East African Rift System.
- **Hostile Environment**: Lake Natron in Tanzania and Lake Bogoria in Kenya are hostile to most forms of life, with surface temperatures soaring up to 40 degrees Celsius.
- **Habitat:** Despite the harsh conditions, these lakes are perfect habitats for flamingos.
  - The lake's warm water is an ideal breeding ground for the Rift Valley flamingos.
- **Nearby Volcano**: The Gelai volcano, standing at 9,652 feet (2,942 meters), is situated at the southeastern edge of Lake Natron.
- **Chemical Composition**: These lakes, filled with caustic soda and hypersaline water, deter most predators but provide a haven for fascinating migratory birds.
- **Unique Ecosystem**: Lake Natron, a Ramsar site on the Tanzania-Kenya border, has a unique composition of warm waters, salt, caustic soda, and magnesite deposits that create ideal conditions for flamingos to thrive.

Flamingos

- **About:** These are large shore birds with S-like long necks and sticklike legs.
- **Species of Flamingos**:
  - Greater Flamingo
  - Chilean Flamingo
  - American Flamingo (Also known as the Caribbean Flamingo)
  - Lesser Flamingo
  - Andean Flamingo
  - James's Flamingo (Also known as the Puna Flamingo).
- **World Distribution**: Found in tropical and subtropical areas.
- **In India:** Two species of flamingos are found – the Greater Flamingo and the Lesser Flamingo.
- **Habitat:** Flamingos inhabit shallow eutrophic waterbodies such as saline lagoons, saltpans, and saline or alkaline lakes.

INDIAN EXPRESS Page 12

ENEMY AGENTS ORDINANCE, 2005

(Syllabus GS Paper 2 – Polity)



What is Enemy Agents Ordinance, tough law applicable in J&K?

APURVA VISHWANATH
NEW DELHI, JUNE 24

JAMMU AND Kashmir Director General of Police (DGP) R R Swain on Sunday said those found assisting militants in J&K should be tried by investigating agencies under the Enemy Agents Ordinance, 2005. The law is more stringent than the Unlawful Activities (Prevention) Act (UAPA) and has the punishment of either a life term or a death sentence.

"The fighters can't be brought under the realm of investigation, they should be shot dead. Those who support them, if we are talking of investigation there, I've said somewhere that they will be treated as enemy agents," DGP Swain said.

What is the Enemy Agents Ordinance?

The J&K Enemy Agents Ordinance was first issued in 1917 by the then Dogra Maharaja of J&K. It is referred to as an 'ordinance' since laws made during the Dogra rule were called ordinances.

According to the ordinance, "whosoever is an enemy agent or, with an intent to aid the enemy, conspires with any other person to any act which is designed or likely to give assistance to the enemy or to impede the military or air operations of Indian forces or to endanger life or is guilty of incendiarism shall be punishable with death or rigorous imprisonment for life or with rigorous imprisonment for a term which may extend to 10 years and shall also be liable to fine".

After Partition in 1947, the ordinance was incorporated as a law in the erstwhile state and was also amended.

In 2019, when Article 370 of the Constitution was repealed, J&K's legal framework also underwent several changes. The Jammu and Kashmir Reorganisation Act was passed, which listed out state laws that were to continue while several others were repealed and replaced with Indian laws.

EXPLAINED LAW

While the security laws such as Enemy Agents Ordinance and Public Safety Act remained; the Ranbir Penal Code was replaced with the Indian Penal Code. Other laws including The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or Forest Act, and The Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 were extended to J&K as well.

How are trials conducted under the ordinance?

The trial under the Enemy Agents Ordinance is conducted by a special judge who is appointed by the "government in consultation with the High Court". Under the ordinance, the accused cannot engage a lawyer to defend herself unless permitted by the court.

"In any proceedings before the Special Judge and in proceeding before a Judge reviewing under section 9 the proceedings of a Special Judge when the Special Judge or the reviewing Judge grants permission in this behalf, a person accused of an offence triable under this Ordinance may be defended by a pleader," according to the ordinance.

There is no provision for appeal against the verdict, and the decision of the special judge can only be reviewed "by a person chosen by the Government from the judges of the High Court and the decision of that person shall be final".

The ordinance also bars any disclosure or publication of the case tried under it. "Any person who, without the previous authorisation of the Government, discloses or publishes any information with respect to any proceedings or with respects to any person proceeded against under this Ordinance, shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both," according to the ordinance.

Has anyone been tried under this ordinance?

There are scores of Kashmiris who are or have been tried and sentenced under the Enemy Agents Ordinance. Jammu Kashmir Liberation Front founder Maqbool Bhat, who was hanged in Tihar Jail in 1984, was charged under the ordinance.

Context: The Director General of Police in Jammu and Kashmir announced that individuals assisting militants in the region should be prosecuted under the Enemy Agents Ordinance, 2005.

Trials Conducted Under the Ordinance

- **Special Judge Appointment:** The trial under the Enemy Agents Ordinance is conducted by a special judge who is appointed by the "government in consultation with the High Court."
- **Restricted Legal Representation**: Under the ordinance, the accused cannot engage a lawyer to defend himself/herself unless permitted by the court.
- **No Appeal Provision:** There is no provision for appeal against the verdict, and the decision of the special judge can only be reviewed "by a person chosen by the Government from the judges of the High Court and the decision of that person shall be final."
- **Historical Application**: There are scores of Kashmiris who are or have been tried and sentenced under the Enemy Agents Ordinance.

Enemy Agents Ordinance, 2005

- **About**: It is a historic law with significant implications for the region of Jammu and Kashmir (J&K).
- **Origin and Issuance**: The J&K Enemy Agents Ordinance was first issued in 1917 by the then Dogra Maharaja of J&K. Laws made during the Dogra rule were referred to as ordinances.
- **Penalties:** According to the ordinance, anyone deemed an enemy agent or who conspires to assist the enemy, impede Indian military or air operations, endanger lives, or commit arson can be punished with death, life imprisonment, or rigorous imprisonment up to 10 years, along with a fine.
- **Post-Partition Incorporation**: After the Partition in 1947, the ordinance was incorporated as a law in the erstwhile state of J&K and was subsequently amended.
- **Legal Changes**: In 2019, the repeal of Article 370 of the Constitution led to significant changes in J&K's legal framework through the Jammu and Kashmir Reorganisation Act.
- **Continuation and Replacement of Laws**: Security laws such as the Enemy Agents Ordinance and Public Safety Act remained, while the Ranbir Penal Code was replaced with the Indian Penal Code. Additionally, other laws like The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and The Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, were extended to J&K.
- **Enemy agent:** According to it, an enemy agent means a person not operating as a member of the enemy armed force, who is employed by or works for or acts on instructions received from the enemy.

THE HINDU Page 1

UNION TERRITORY

(Syllabus: GS Paper 2 – Polity)

Kuki-Zo groups take out rallies in Manipur seeking Union Territory

The Hindu Bureau
NEW DELHI

The Kuki-Zo tribal bodies took out rallies across the hill districts of Manipur calling for the Centre to meet their demand to carve out a Union Territory (for the community), to end the ongoing ethnic conflict in the State.

They reiterated that a Union Territory with a legislature, as provided under Article 239A of the Constitution, was the solution to the crisis.

At the protest rallies held in the hill districts of Churachandpur, Kangpokpi, Chandel, Pherzawl-Jiribam, and Tengnoupal, many speakers reiterated that Prime Minister Narendra Modi should visit Manipur and show his intent to solve the crisis in the State.

The Kuki-Zo bodies also submitted a memorandum to Union Home Minister Amit Shah through district administrations, seeking that their demand for a solution be expedited.



Protesters take out a rally in Manipur's Churachandpur on Monday demanding a solution to the ethnic violence in the State. PTI

Counter-protests

Meanwhile, Imphal's women vendors, also known as 'Imas' or 'mothers', along with other civilian women's groups, held demonstrations in the capital city, urging the Centre to "stop supporting Kuki militants". They held posters with slogans such as "No separate administration".

The conflict between the valley-based Meitei community and the hills-based Scheduled Tribe Kuki-Zo people has been under way since May 3, 2023. Over 220 people have been killed and tens of thousands internally displaced.

CONTINUED ON » PAGE 12
ALTER THE STATUS QUO » PAGE 8

Context: Kuki-Zo tribal bodies in Manipur staged rallies across hill districts urging the Centre to establish a Union Territory with a legislature under Article 239A of the Constitution, aiming to resolve the state's ethnic conflict.

Article 239A

- **About**: Article 239A of the Indian Constitution allows for the establishment of local legislatures and Councils of Ministers in certain Union territories.
- **Specific Provisions for Puducherry**: In accordance with Article 239A(1), the Union Territory of Puducherry may establish:
  - An elected legislature or one that is partially nominated and partially elected.
  - A Council of Ministers.
  - Both of these entities can have their constitution, authority, and duties specified by law.
- **Constitutional Amendments Clarification**: As per Article 239A(2), any law passed under Article 239A(1) pertaining to Puducherry does not constitute an amendment to the Constitution under Article 368.
  - Even if such a law includes provisions that alter or amend the Constitution, it shall not be interpreted as a constitutional amendment.

Union Territory

- **About**: Union Territories are specifically listed and described in Schedule I and Part VIII of the Constitution of India.
- **Governance of UTs**: Articles 239 to 241 of the Constitution detail the governance and administration of Union Territories in India.
- **Article 1(2)**: It delineates the states and territories of India, specifying their boundaries and composition in the First Schedule.
- **Current Composition**: India comprises 28 states and 8 Union Territories as per the current delineation, without any acquired territories.
- **Article 1(3)**: It defines the territory of India as including the territories of the states, Union territories, and territories that may be acquired by India in the future.
- **Lieutenant Governors**: Delhi, Puducherry, A&N Islands, J&K and Ladakh.
- **Administrator:** Chandigarh, Dadra-Nagar Haveli and Daman-Diu and Lakshadweep.
- **Administration**: Each Union Territory is administered by the President through an administrator, who acts as the agent of the President and not as the head of state (Article 239).
  - The President may appoint the governor of a state as the administrator of an adjoining Union Territory, extending their administrative responsibilities.

Government enhances allocation for Fertilizer Sector under SIGHT Programme of the National Green Hydrogen Mission (NGHM)

Context: Government enhanced allocation for the Fertilizer Sector under SIGHT Programme of the National Green Hydrogen Mission (NGHM).

Strategic Interventions for Green Hydrogen Transition (SIGHT) Programme

- **About**: It is a part of India's National Green Hydrogen Mission.
- **Launched in**: 2023.
- **Implementation**: Solar Energy Corporation of India (SECI).
- **Component**: Electrolyser Manufacturing and Green Hydrogen Production.
- **Issuance of Guidelines**: Its guidelines were issued by the Ministry of New and Renewable Energy for green hydrogen and electrolysers.
  - The guidelines and incentive schemes issued under the SIGHT programme will promote the large-scale utilisation of green hydrogen and its derivatives, and enhance their cost-competitiveness.
- **Financial Measure**: SIGHT is a major financial measure under the National Green Hydrogen Mission.
- **Objectives of SIGHT**
  - **Maximize Production**: To maximize the production of Green Hydrogen and its derivatives in India.
  - **Enhance Cost-Competitiveness**: Enhance the cost-competitiveness of Green Hydrogen and its derivatives vis-a-vis fossil-based alternatives.
  - **Encourage Utilization**: Encourage the large-scale utilization of Green Hydrogen and its derivatives.

National Green Hydrogen Mission (NGHM)

- **Approved in:** January 4, 2022.
- **Nodal Ministry:** Ministry of New and Renewable Energy.
- **Objective:** To make India the Global Hub for production, usage and export of Green Hydrogen and its derivatives.
  - To make India a leader in technology and manufacturing of electrolysers and other enabling technologies for Green Hydrogen.
- **Green Hydrogen:** It is produced using electrolysis of water with electricity generated by renewable energy.

TELECOMMUNICATIONS ACT, 2023

(Syllabus: GS Paper 3 – Economy)

Telecom Act 2023 based on principles of inclusion, growth, responsiveness for developed India

Context: The Telecommunications Act 2023, partially effective from June 26, aims to achieve a developed India through principles of inclusion, security, growth, and responsiveness.

Telecommunications Act, 2023

- **Objective:** An Act to amend and consolidate the law relating to development, expansion and operation of telecommunication services and telecommunication networks; assignment of spectrum; and for matters connected therewith or incidental thereto.
- The Bill seeks to replace the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933. The Telegraph Wires (Unlawful Possession) Act, 1950.
  - It also amends the Telecom Regulatory Authority of India (TRAI) Act, 1997.
- **Broad Definition:**
  - The Bill defines 'telecommunication' broadly as the transmission, emission, or reception of any messages through various means such as wire, radio, optical, or electromagnetic systems.
  - This definition **encompasses over-the-top services** like WhatsApp, Telegram, and email services such as Gmail.
  - It implies that every internet application operating in India falls under the purview of the law.
- **Provisions**
  - **Powers of authorisation**: To provide telecommunication services.
    - ✓ To establish, operate, maintain, or expand telecommunications networks.
    - ✓ To possess radio equipment.
    - ✓ Existing licences will continue to be valid for the period of their grant, or for five years, where the period is not specified.
  - **Right of way**: Facility providers may seek a right of way over public or private property to establish telecom infrastructure. It must be provided on a non-discriminatory and non-exclusive basis to the extent possible.
  - **Interception, Monitoring, and Blocking**: Messages or a class of messages between two or more persons may be intercepted, monitored, or blocked.
  - **Amendments to the TRAI Act:** Individuals with the following professional experience can serve:
    - ✓ At least 30 years of professional experience to serve as the chairperson.
    - ✓ At least 25 years of professional experience to serve as members.
  - **Digital Bharat Nidhi:** The act renames the fund as Digital Bharat Nidhi, and also allows its use for research and development.
  - **User Protection**: The Act implements measures to shield users from unsolicited commercial communication and establishes a grievance redressal system.
  - **Digital Implementation:** The Act mandates a digital-by-design approach, incorporating online dispute resolution and other digital frameworks.
  - **Offences and Penalties**: Providing telecom services without authorization can result in up to three years of imprisonment, a fine up to two crore rupees, or both.
    - ✓ Violating the terms and conditions of authorization is punishable with a civil penalty of up to five crore rupees.

THE HINDU

Page 6

WORLD CRAFTS COUNCIL

(Syllabus: GS Paper 1 – Art and Culture)



Srinagar's 'World Craft City' tag will promote global links

Peerzada Ashiq
SRINAGAR

Srinagar has earned the World Craft City tag from the World Crafts Council, a non-government organisation working to empower artisans and safeguard craft heritage globally. Saleem Beg, head of the Indian National Trust for Art and Cultural Heritage-Kashmir, described the honour as the "latest recognition of the skill base of Kashmir". "This will provide a boost to Kashmir's traditional linkages with Central Asia and Iran. There are 14 Iranian cities listed as craft cities by the Council and, the honour for Srinagar will lead to knowledge exchange," he said. This is likely to reopen Kashmir's centuries-old linkages with craft centres in Central Asia and Iran. "The Council is the modern-day means and medium to put the focus on places that have been engaged in creativity and aesthetics for centuries. The last century saw Kashmir's traditional routes slowly closing down, the WCC has provided a new highway for artisans to achieve a new trajectory," Mr. Beg told *The Hindu*.

Context: Srinagar has earned the World Craft City (WCC) tag from the World Crafts Council (WCC).

World Crafts Council (WCC)

- **About:** It is a non-government organisation working to empower artisans and safeguard craft heritage globally.
- **Established by**: Ms. Aileen Osborn Vanderbilt Webb, Ms. Margaret M. Patch, and Smt Kamaladevi Chattopadhyay at the 1st World Crafts Council General Assembly in New York on June 12, 1964.
- **Presidential Term**: The Presidency of the organization changes every four years.
- **Headquarters:** The current headquarters for the term (2021-2024) is located in the State of Kuwait.
- **Affiliation with UNESCO**: Since its inception, the World Crafts Council AISBL has been affiliated with UNESCO under Consultative Status for many years.
- **Objective**: To strengthen the status of crafts in cultural and economic life, promoting fellowship among craftspersons, fostering cultural exchange, and promoting wider knowledge and recognition of craftspeople's work while respecting their diverse cultural and national backgrounds.

Significance of the Award

- **Recognition**: Srinagar being designated as a "World Craft City" underscores the exceptional skill and dedication of its artisans and craftsmen.
- **Enriching Cultural Heritage:** The traditional craftsmanship in Srinagar has significantly enriched its cultural heritage, contributing to a legacy admired globally.
- **Global Admiration**: The skills and products from Srinagar are not only treasured locally but also revered worldwide, highlighting their universal appeal.
- **Preservation of Unique Crafts**: The award aims to honor and safeguard the diverse range of crafts indigenous to Srinagar, ensuring their continuity and protection.

INDIAN EXPRESS

Page 12

RESOLUTION OF KERALAM

(Syllabus: GS Paper 2 – Polity)

KERALAM

Kerala Assembly wants to rename the state as Keralam, the Malayalam word for the state



A house boat in Alappuzha, Kerala. *Wikimedia Commons*

THE KERALA Assembly on Monday unanimously passed a resolution urging the Centre to rename the state as "Keralam" in the Constitution. This is the second time in the past year that such a resolution has been passed.

Resolution

The resolution, moved by Kerala Chief Minister Pinarayi Vijayan, states: "The name of our state in Malayalam is Keralam... However, the name of our state in the first Schedule of the Constitution has been written as Kerala. This Assembly is unanimously requesting the Union Government to take immediate steps under Article 3 of the Constitution to change the name of the state to Keralam."

A similar resolution was passed on August 9 last year. Vijayan said that it needed reintroduction due to some technical issues.

The previous resolution sought amendments to the First Schedule of the Constitution (list of various states). It also meant to seek an amendment to the Eighth Schedule (list of official languages). But on further examination, it was realised that the wording did not include the latter demand. Hence, the resolution was modified and reintroduced, Vijayan told the Assembly.

Etymology

There are several theories regarding the etymological roots of Kerala/Keralam. The earliest mention of the word can be found in Emperor Ashoka's Rock Edict II, dated to 257 BCE. The edict reads: "Everywhere in the dominions of King Priyadarsin, Beloved of the gods, [how Ashoka was addressed as] as well as those of his frontier sovereigns, such as the Chodas [Cholas], Pandyas, Satiyaputra, Ketalaputra [Keralaputra]..." (translated by epigraphist D R Bhandarkar).

Keralaputra, literally "son of Kerala" in Sanskrit, refers to the dynasty of the Cheras, rulers of one of the three main kingdoms of southern India at the time. German linguist Dr Herman Gundert noted that the word 'keram' is Canarese (or Kannada) for 'cheram', which is used to refer to the coastal land between Gokarna (in Karnataka) and Kanyakumari (Tamil Nadu, India's southern tip). The origin of the term could possibly be from 'cher', which means to join in Old Tamil.

Statehood

The demand for a united Malayalam-speaking state first gathered momentum in the 1920s, and aimed to integrate the princely states of Travancore and Cochin, and the Malabar district of the Madras Presidency.

After Independence, on July 1, 1949 the two Malayalam-speaking princely states were integrated to form the state of Travancore-Cochin. The state of Kerala was finally created after the State Reorganisation Commission's recommendation creating states on linguistic-bases. The Commission under Syed Fazl Ali recommended the inclusion of the district of Malabar and the taluk of Kasargod to the Malayalam-speaking people's state. It also recommended the exclusion of the four Southern taluks of Travancore, *viz* Tovala, Agastheeswaram, Kalkulam and Vilayankode together with some parts of Shenkottai (all these taluks now part of Tamil Nadu).

The state of Kerala came into being on November 1, 1956.

Context: The Kerala Assembly unanimously passed a resolution urging the Centre to rename the state as "Keralam" in the Constitution. This marks the second time in the past year that such a resolution has been passed.

Resolution of Keralam

- **Keralam:** Kerala is the English word for the Malyali Keralam. There are several theories regarding its etymological roots. The earliest mention of the word can be found in Emperor Ashoka's Rock Edict II, dated to 257 BCE.
  - Keralaputra, literally "son of Kerala" in Sanskrit, refers to the dynasty of the Cheras, one of the three main kingdoms of southern India.
- **Name in Malayalam**: The name of the state in Malayalam is Keralam.
- **Previous Resolution**: It sought amendments to the First Schedule of the Constitution (list of various states).
  - It also meant to seek an amendment to the Eighth Schedule (list of official languages).

Article 3 in Constitution of India

- **About:** Formation of new States and alteration of areas, boundaries or names of existing States
  - Parliament may by law-
    - ✓ Form a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniting any territory to a part of any State;
    - ✓ increase the area of any State;
    - ✓ diminish the area of any State;
    - ✓ alter the boundaries of any State;
    - ✓ alter the name of any State;
- **Article provides for two conditions**: The Bill proposing changes cannot be introduced in Parliament without the President's prior recommendation.
  - The President must refer the Bill to the concerned State Legislature for their views within a specified period.
  - The President is not obligated to follow the views expressed by the State Legislature.
  - However, this requirement does not apply to Union territories, where no such reference to the Legislature is necessary.
- **5th Amendment, 1955**: It empowered the President to prescribe a time limit for a State Legislature to convey its views on proposed Central laws relating to the formation of new States and alteration of areas, boundaries or names of existing States.

ALL INDIA RADIO

June 24

INTERNATIONAL SUGAR ORGANISATION

(Syllabus: GS Paper 3 – Economy)

India To Host 64th ISO Council Meeting From June 25

Context: India is hosting the 64th International Sugar Organisation (ISO) Council Meeting in New Delhi.



International Sugar Organisation (ISO)

- **About:** ISO is the unique intergovernmental body devoted to improving conditions on the world's sugar market through Debate, Analysis, Special Studies, Transparent Statistics, Seminars, Conferences and Workshops.
- **Headquarter:** London.
- **Member:** 87 countries including India.
- **Objectives:**
  - To ensure enhanced international cooperation in connection with world sugar matters and related issues.
  - To provide a forum for intergovernmental consultations on sugar and on ways to improve the world sugar economy.
  - To facilitate trade by collecting and providing information on the world sugar market and other sweeteners.
  - To encourage increased demand for sugar, particularly for non-traditional uses.

Indian Sugar Industry

- **Consumer**: India has been the largest consumer and second largest producer of sugar in the world.
- **Production**: India has about 15% share in global sugar consumption and about 20% in production of sugar.
- **Sugarcane in Major Growing States:** Maharashtra>Uttar Pradesh >Karnataka.
- **Major Sugar producers**: Brazil, India, Thailand, China, and the United States.

TIMES OF INDIA

June 24

MIRAGE 2000

(Syllabus: GS Paper 3 – Sci and Tech)

India, Qatar discuss proposal for sale of 12 used Mirage-2000 fighter aircraft

Context: India is in talks to purchase 12 used Mirage-2000 fighter jets from Qatar, aiming to bolster its combat capabilities as it phases out aging MiG fighters.

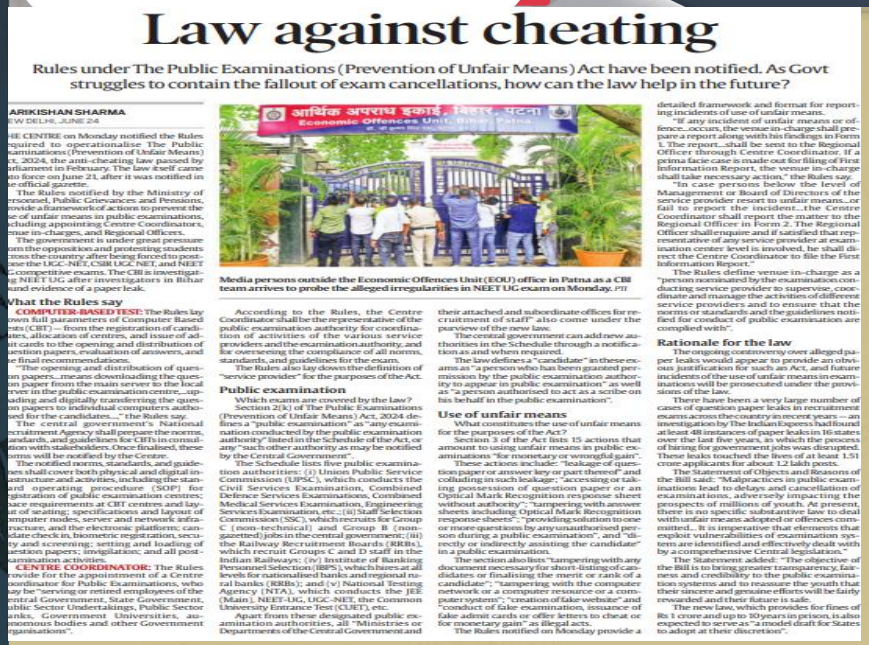
Mirage 2000

- **About**: It is a fourth-generation, multirole fighter aircraft, and has played a significant role in the Indian Air Force (IAF) for several decades.
- **Design**: It was originally designed by the French company, Dassault Aviation.
- **Indian Acquisition**: India acquired around 51 Mirage 2000s in different batches, forming three squadrons based at the Gwalior Air Force Station.
- **Key Features**
  - **Versatility**: The Mirage 2000 is a versatile platform capable of air-to-air combat, ground attack, reconnaissance, and nuclear strike missions.
  - **Speed:** 2,336 km/h
  - **Precision Strikes:** During the Kargil conflict, Mirage 2000s successfully hit enemy camps at high altitudes using laser-guided bombs.
  - **Airstrikes**: It played a crucial role in the Kargil war 1999 and 2019 Balakot airstrikes, demonstrating its combat effectiveness.
    - ✓ The ongoing upgrade program aims to enhance their capabilities, ensuring their relevance till 2035.

PUBLIC EXAMINATIONS ACT, 2024

(Syllabus: GS Paper 2 – Education)

INDIAN EXPRESS Page 12



Law against cheating

Rules under The Public Examinations (Prevention of Unfair Means) Act have been notified. As Govt struggles to contain the fallout of exam cancellations, how can the law help in the future?

ARIKISHAN SHARMA
NEW DELHI, JUNE 24

THE CENTRE on Monday notified the Rules required to operationalise The Public Examinations (Prevention of Unfair Means) Act, 2024, the anti-cheating law passed by Parliament in February. The law itself came into force on June 21, after it was notified in the official gazette.

The Rules notified by the Ministry of Personnel, Public Grievances and Pensions, provide a framework of actions to prevent the use of unfair means in public examinations, including appointing Centre Coordinators, venue in-charges, and Regional Officers.

The government is under great pressure from the opposition and protesting students across the country after being forced to postpone the UGC-NET, CSIR UGC NET, and NEET (UG) competitive exams. The CBI is investigating NEET UG after investigators in Bihar found evidence of a paper leak.

What the Rules say

COMPUTER-BASED TEST: The Rules lay down full parameters of Computer Based Tests (CBT) — from the registration of candidates, allocation of centres, and issue of admit cards to the opening and distribution of question papers, evaluation of answers, and the final examination results.

"The opening and distribution of question papers... means downloading the question paper from the main server to the local server in the public examination centre...uploading and digitally transferring the question papers to individual computers authorised for these candidates...," the Rules say.

The central government's National Recruitment Agency shall prepare the norms, standards, and guidelines for CBTs in consultation with stakeholders. Once finalised, these norms will be notified by the Centre.

The notified norms, standards, and guidelines shall cover both physical and digital infrastructure and activities, including the standard operating procedure (SOP) for registration of public examination centres; space requirements at CBT centres and layout of seating; specifications and layout of computer nodes, server and network infrastructure, and the electronic platform; candidate check in, biometric registration, security and screening; setting and loading of question papers; invigilation; and all post-examination activities.

CENTRE COORDINATOR: The Rules provide for the appointment of a Centre Coordinator for Public Examinations, who may be "serving or retired employees of the Central Government, State Government, Public Sector Undertakings, Public Sector Banks, Government Universities, autonomous bodies and other Government organisations".

Media persons outside the Economic Offences Unit (EOU) office in Patna as a CBI team arrives to probe the alleged irregularities in NEET UG exam on Monday. PTI

According to the Rules, the Centre Coordinator shall be the representative of the public examination authority for coordination of activities of the various service providers and the examination authority, and for overseeing the compliance of all norms, standards, and guidelines for the exam.

The Rules also lay down the definition of "service provider" for the purposes of the Act.

Public examination

Which exams are covered by the law?

Section 2(k) of The Public Examinations (Prevention of Unfair Means) Act, 2024 defines a "public examination" as "any examination conducted by the public examination authority" listed in the Schedule of the Act, or any "such other authority as may be notified by the Central Government".

The Schedule lists five public examination authorities: (i) Union Public Service Commission (UPSC), which conducts the Civil Services Examination, Combined Defence Services Examinations, Combined Medical Services Examination, Engineering Services Examination, etc.; (ii) Staff Selection Commission (SSC), which recruits for Group C (non-technical) and Group B (non-gazetted) jobs in the central government; (iii) the Railway Recruitment Boards (RRBs), which recruit Groups C and D staff in the Indian Railways; (iv) Institute of Banking Personnel Selection (IBPS), which hires at all levels for nationalised banks and regional rural banks (RRBs); and (v) National Testing Agency (NTA), which conducts the JEE (Main), NEET-UG, UGC-NET, the Common University Entrance Test (CUET), etc.

Apart from these designated public examination authorities, all "Ministries or Departments of the Central Government and their attached and subordinate offices for recruitment of staff" also come under the purview of the new law.

The central government can add new authorities in the Schedule through a notification as and when required.

The law defines a "candidate" in these exams as "a person who has been granted permission by the public examination authority to appear in public examination" as well as "a person authorised to act as a scribe on his behalf in the public examination".

Use of unfair means

What constitutes the use of unfair means for the purposes of the Act?

Section 3 of the Act lists 15 actions that amount to using unfair means in public examinations "for monetary or wrongful gain".

These actions include: "leakage of question paper or answer key or part thereof" and colluding in such leakage; "accessing or taking possession of question paper or an Optical Mark Recognition response sheet without authority"; "tampering with answer sheets including Optical Mark Recognition response sheets"; "providing solution to one or more questions by any unauthorised person during a public examination", and "directly or indirectly assisting the candidate" in a public examination.

The section also lists "tampering with any document necessary for short-listing of candidates or finalising the merit or rank of a candidate"; "tampering with the computer network or a computer resource or a computer system"; "creation of fake website" and "conduct of fake examination, issuance of fake admit cards or offer letters to cheat or for monetary gain" as illegal acts.

The Rules notified on Monday provide a detailed framework and format for reporting incidents of use of unfair means.

"If any incident of unfair means or offence...occurs, the venue in-charge shall prepare a report along with his findings in Form 3. The report...shall be sent to the Regional Officer through Centre Coordinator. If a prima facie case is made out for filing of First Information Report, the venue in-charge shall take necessary action," the Rules say.

"In case persons below the level of Management or Board of Directors of the service provider resort to unfair means...or fail to report the incident...the Centre Coordinator shall report the matter to the Regional Officer in Form 2. The Regional Officer shall enquire and if satisfied that representative of any service provider at examination center level is involved, he shall direct the Centre Coordinator to file the First Information Report."

The Rules define venue in-charge as a "person nominated by the examination conducting service provider to supervise, coordinate and manage the activities of different service providers and to ensure that the norms or standards and the guidelines notified for conduct of public examination are complied with".

Rationale for the law

The ongoing controversy over alleged paper leaks would appear to provide an obvious justification for such an Act, and future incidents of the use of unfair means in examinations will be prosecuted under the provisions of the law.

There have been a very large number of cases of question paper leaks in recruitment exams across the country in recent years — an investigation by The Indian Express had found at least 48 instances of paper leaks in 16 states over the last five years, in which the process of hiring for government jobs was disrupted. These leaks touched the lives of at least 1.51 crore applicants for about 12 lakh posts.

The Statement of Objects and Reasons of the Bill said: "Malpractices in public examinations lead to delays and cancellation of examinations, adversely impacting the prospects of millions of youth. At present, there is no specific substantive law to deal with unfair means adopted or offences committed... It is imperative that elements that exploit vulnerabilities of examination system are identified and effectively dealt with by a comprehensive Central legislation."

The Statement added: "The objective of the Bill is to bring greater transparency, fairness and credibility to the public examination systems and to reassure the youth that their sincere and genuine efforts will be fairly rewarded and their future is safe.

The new law, which provides for fines of Rs 1 crore and up to 10 years in prison, is also expected to serve as "a model draft for States to adopt at their discretion".

Context: The Centre has formally notified the operational rules for The Public Examinations (Prevention of Unfair Means) Act, 2024, which was passed by Parliament in February to combat cheating during public examinations.

Public Examinations (Prevention of Unfair Means) Act, 2024

- **About**: The Act seeks to prevent use of unfair means in public examinations. Public examinations refer to examinations conducted by authorities specified under the Schedule to the Bill, or notified by the Central Government.

Objective of Act:

- It aims to eliminate cheating practices and ensure fairness, transparency, and credibility in government recruitment exams.
- **Coverage of Examinations**: Union Public Service Commission (UPSC), Staff Selection Commission (SSC), Railway Recruitment Boards (RRB), Institute of Banking Personnel Selection (BPS), and Ministries or Departments of the Central Government are covered under this act.
- **Measures Against Unfair Practices**: The Act targets specific unfair practices such as the leakage of question papers or answer keys. It also addresses issues like direct or indirect assistance to candidates and tampering with computer networks during examinations.
- **Responsibilities of service providers**: In the event of violation of provisions of the Bill, service providers must report to the police and the concerned examination authority. A service provider is an organisation that provides computer resources or any other support to a public examination authority.
- **Punishments under the new law:** Persons committing an organised crime will be punished with imprisonment between five years and 10 years, and a fine of at least one crore rupees.
  - If an institution is held guilty of committing an organised crime, its property will be attached and forfeited, and a proportionate cost of the examination will also be recovered from it.
- **Nature of Offences**: All offences under the Act are cognisable, non-bailable, and non-compoundable.

New Notified Rules

- **About:** The Rules notified by the Ministry of Personnel, Public Grievances and Pensions, provide a framework of actions to prevent the use of unfair means in public examinations, including appointing Centre Coordinators, venue in-charges, and Regional Officers.
- **Exams are covered by the law**: Section 2(k) of The Public Examinations Act, 2024 defines a "public examination" as "any examination conducted by the public examination authority" listed in the Schedule of the Act, or any "such other authority as may be notified by the Central Government".
- **Use of unfair means:** Section 3 of the Act lists 15 actions that amount to using unfair means in public examinations "for monetary or wrongful gain".

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