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# NEWS JUICE MONTHLY

1<sup>st</sup> September to 30<sup>th</sup> September, 2022

Summary of The Hindu & The Indian Express along with News  
Background



# POLITY & GOVERNANCE

# Bhang, ganja, and criminality in the NDPS Act



Relevance: Prelims & Mains Paper II; Governance

Source: The Indian Express

## Bhang

- Bhang is the edible preparation made from the leaves of the cannabis plant.
- It is often incorporated into drinks such as thandai and lassi, along with various foods.
- Bhang has been consumed in the Indian subcontinent for centuries, and is frequently consumed during the festivals of Holi and Mahashivratri.

## NDPS Act, 1985

- Main legislation that deals with drugs and their trafficking
  - NDPS Act defines cannabis (hemp) as a narcotic drug based on the parts of the plant that come under its purview. The Act lists these parts as:
    1. Charas- Resin of Cannabis plant, also known as hashish oil or liquid hashish
    2. Ganja- flowering or fruiting tops of the cannabis plant
- Bhang not included since it is made of leaves of plant.



# Bhang, ganja, and criminality in the NDPS Act



Relevance: Prelims & Mains Paper II; Governance

Source: The Indian Express

## Cannabis and Criminal Liability

- Section 20 of the NDPS Act lays out the punishment for the production, manufacture, sale, purchase, import and inter-state export of cannabis, as defined in the Act.
- The prescribed punishment is based on the amount of drugs seized.
  1. Small quantity (100 g of charas/hashish or 1 kg of ganja) - Rigorous imprisonment for a term that may extend to 1 year and/or a fine which may extend to Rs 10,000.
  2. Commercial Quantity (1 kg charas/ hashish or 20 kg ganja) - Rigorous imprisonment of not less than 10 years, which may extend to 20 years, including a fine that is not less than Rs 1,00,000 but may extend to Rs 2,00,000.
  3. Quantity greater than small, but less than commercial - Rigorous imprisonment up to 10 years, along with a fine which may extend to Rs 1,00,000.

## AIFF chooses new President

Relevance: Prelims & Mains Paper II; Governance

Source: Indian Express



### Election held at AIFF

- **Kalayan Choubey** elected as new President
- Goalkeeper of domestic club Mohun Bagan
- **Electoral College- 34 votes to domestic football clubs**



## PM SHRI

Relevance: Prelims & Mains Paper II, Governance

Source: The Indian Express



### PM-SHRI scheme

- PM SHRI Schools - **PM Schools for Rising India** ✓
- It is a **centrally sponsored scheme**. ✓
- **Redevelopment to reflect features of NEP**: Under the scheme, as many as **14,500** schools across states and Union Territories will be redeveloped to reflect the key features of the NEP, 2020.

### Key features of NEP in school education

- NEP envisages a **curricular structure and teaching style divided into various stages** – foundational, preparatory, middle and secondary. ✓
- **Foundational Level (pre-school and grades I, II)** - Foundational years will involve **play-based learning**. ✓
- **Preparatory Level (III-V)** - At the preparatory level, **light textbooks** are to be introduced along with some **formal classroom teaching**. ✓
- **Middle level (VI-VIII)** - **Subject teachers** are to be introduced at the middle level.
- **Secondary stage (IX-XII)** - Secondary stage (IX-XII) will be **multidisciplinary** in nature with no hard separation between arts and sciences or other disciplines.

### Centrally sponsored scheme

- Cost of implementation is likely to split in the **60:40 ratio** among the Union government and the states/Union Territories
- In the case of the Northeastern states, Himachal Pradesh, Uttarakhand, Jammu and Kashmir and UTs without legislatures, the Centre's contribution can go **up to 90 per cent**.

### PM SHRI schools VS Kendriya or Jawahar Navodaya Vidyalayas

- **Kendriya Vidyalayas or Jawahar Navodaya Vidyalayas** come entirely under the **Centre's Ministry of Education**.
- **Fully funded by the Union Government**
- KVs largely cater to children of **Union government employees** posted in states and UTs.
- JNVs are set up to **nurture talented students in rural parts** of the country.
- **PM SHRI schools** will be an **upgrade of existing schools** run by the Centre, states, UTs and local bodies.
- Thus, PM SHRI schools **can either be KVs, JNVs, state government schools or even those run by municipal corporations**.
- Union Education Minister Dharmendra Pradhan added that while there are exemplary schools like Navodaya Vidyalayas, Kendriya Vidyalayas, the **PM SHRI** will act as **"NEP labs"**.

## PM SHRI

Source: The Indian Express

### Relevance: Prelims & Mains Paper II, Governance

#### PM Shri Schools

- PM SHRI schools will also **"offer mentorship"** to other schools in their vicinity.
- These schools will be equipped with **modern infrastructure** including labs, smart classrooms, libraries, sports equipment, art room etc
- These schools shall also be developed as **green schools** with water conservation, waste recycling, energy-efficient infrastructure and integration of organic lifestyle in curriculum.

Ministry of Education  
Government of India

**PM SHRI Schools**  
(PM Schools for Rising India)

*Nurturing well-rounded individuals equipped with 21st century skills*

More than 14500 Schools across the country to be upgraded & developed

To act as exemplar schools & also offer mentorship to other schools in their vicinity

To showcase all components of the National Education Policy 2020

Pedagogy adopted in these schools will be more experiential, holistic, integrated & play/toy-based

To benefit lakhs of students across the country

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# Ban on conversion therapy for the LGBTQIA+ community



Relevance: Prelims & Mains Paper II, Governance

Source: The Hindu

Madras High Court judgement	Guidelines issued
<ul style="list-style-type: none"><li>- Madras High Court gave a landmark ruling on a case he was hearing about the ordeal of a same-sex couple who sought police protection from their parents.</li><li>- :</li></ul>	<ol style="list-style-type: none"><li>1. Guidelines to "ensure their safety and security to lead a life chosen by them."</li><li>2. The ruling prohibited any attempt to medically "cure" or change the sexual orientation of LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, asexual or of any other orientation) people.</li><li>3. The court gave an order to the National Medical Commission directing it to "issue necessary official notification by enlisting 'Conversion Therapy' as a professional misconduct."</li><li>4. The NMC issued the directive to State Medical Councils</li><li>5. NMC also empowered the State bodies to take disciplinary action against medical professionals who breach the guideline</li></ol>

# Ban on conversion therapy for the LGBTQIA+ community



Relevance: Prelims & Mains Paper II, Governance

Source: The Hindu

Conversion Therapy
<ul style="list-style-type: none"><li>- Conversion or reparative therapy is an intervention aimed at changing the sexual orientation or gender identity of an individual with the use of either psychiatric treatment, drugs, exorcism and even violence, with the aim being to make the individual a heterosexual.</li><li>- The conversion therapy umbrella also includes efforts to change the core identity of youth whose gender identity is incongruent with their sex anatomy.</li><li>- Often, the therapy is offered by quacks with little expertise in dealing with the issue.</li></ul>

# Queen Elizabeth death & implications



Relevance: Prelims & Mains Paper II

Source: The Indian Express

## Succession

- Queen Elizabeth died at 96.
- She was the **longest serving monarch** in Britain's history, reign of **more than 70 years**.
- She conducted oath of **15 British Prime Ministers**, including recent **Liz Truss**.
- Her **son Charles** succeeding her as king.

## Accession Council

- An **Accession Council** is convened as soon as possible, usually **within 24 hours** and held at **St James's Palace**, the official residence of the monarchy, to proclaim the successor.
- Members comprise of
  1. About 670 **senior politicians**, including **Prime Minister Liz Truss**
  2. **Bishops of the Church of England** who sit in **House of Lords**
  3. **Senior civil servants**
  4. **High Commissioners from the 14 other commonwealth realms** which have the monarch as their head of state (includes **Canada, Australia and New Zealand**)

# Queen Elizabeth dies



Relevance: Prelims & Mains Paper II

Source: The Indian Express

## Changes in Britain

- **Flags** to signify British monarchy
- **British National Anthem** - The UK National Anthem has the words "**God save our gracious Queen**", which will change to "God save our gracious King".
- **Currency of the UK**
- **Pledges in Queen's name**



## New adoption procedures

Relevance: Prelims & Mains Paper II, Polity & Governance



Source: The Hindu

### Changes

- The Parliament in July 2021 passed the **Juvenile Justice (Care and Protection of Children) Amendment Act, 2021**, which **empowers District Magistrates to give adoption orders**. The amendments came into effect from September 1.
- **Earlier**, the adoption orders were given by **Juvenile courts** mentioned under Juvenile Justice (Care and Protection of Children) Model Rules, 2016
- The intent of the amendment is to **fasten the adoption process**.
- Adoptions in India are **lengthy process** which take **nearly three years** to complete.
- There are only **2,188 children** available for adoption while there are nearly **31,000 parents** waiting to adopt a child.

### Confusion and delay

- There is **confusion about the requirement to transfer the cases from courts to DMs** as well as the **status of the court orders passed on or after September 1**.
- **Delay impacts**
  - **School admissions** of adopted children are delayed
  - **Medical insurance claim** cannot be made
  - In case of **inter-country adoptions**, parents can't take home a child without the court order and a passport.

## Places of Worship (Special Provisions) Act, 1991

Relevance: Prelims & Mains Paper II; Governance



### Long Title

- **Long title** of the act - "An Act to **prohibit conversion of any place of worship** and to provide for the **maintenance of the religious character** of any place of worship as it existed on the **15th day of August, 1947**, and for matters connected therewith or incidental thereto."

### Important Sections

- **Section 3** - Section 3 of the Act **bars the conversion**, in full or part, of a place of worship of any religious denomination into a place of worship of a different religious denomination — or even a different segment of the same religious denomination.
- **Section 4(1)** - Section 4(1) declares that the religious character of a place of worship "shall **continue to be the same as it existed**" on **August 15, 1947**.
- **Section 5** - Section 5 stipulates that the Act **shall not apply to the Ramjanmabhoomi-Babri Masjid case**, and to any suit, appeal or proceeding relating to it.
- **Objective of the Act** – The Act was enacted before demolition of Babri Masjid when communal tensions were at peak. The **act sought to settle the issue of conversion of religious places** in the past.



# Places of Worship (Special Provisions) Act, 1991



Relevance: Prelims & Mains Paper II; Governance

## Petition against the Act

- **Petitions** challenging the Act are pending before the Supreme Court.
- The law has been challenged on multiple grounds:
  1. The law **bars judicial review**, which is a basic feature of the Constitution.
  2. The law imposes an **"arbitrary irrational retrospective cutoff date"**.
  3. The law **abridges the right to religion of Hindus, Jains, Buddhists and Sikhs**.

# Supreme Court's three-question test for validity of 10% EWS quota



Relevance: Prelims & Mains Paper II; Polity

## Issues for consideration of Supreme Court

- The Supreme Court will examine the constitutional validity of **103rd Amendment Act**, which introduced a **10 per cent** quota for Economically Weaker Sections (EWS) in government jobs and admissions.
- In this examination, the Supreme Court will focus on **three questions** that **whether they violate the basic structure** or not:
  1. Is reservation permitted on **economic criteria**?
  2. Whether special provisions can be made in **private unaided educational institutions**?
  3. Whether **SC, ST, BC** could be excluded from EWS reservation?

## About EWS Reservation

- The **103rd Amendment** inserted Articles 15(6) and 16(6) to provide up to 10 per cent reservation to EWS.
- **15(6) – Educational institutions**
- **16 (6) – Recruitment to government jobs**



# Supreme Court's three-question test for validity of 10% EWS quota



Relevance: Prelims & Mains Paper II; Polity

## Sinho Commission

- The EWS reservation was granted based on the recommendations of a commission headed by **Major General (retd) S R Sinho**.
- The commission, which was constituted by the **UPA government** in March 2005, submitted its report in July **2010**.
- The Sinho Commission recommended that **all below-poverty-line (BPL) families** within the general category, and also **all families whose annual family income from all sources is below the taxable limit**, should be identified as EBCs (economically backward classes).

## EWS Determination

- The **EWS criteria** for employment and admission was notified on January 31, 2019 by the **Department of Personnel and Training (DoPT)** based on the 103rd Amendment.
- Family had a gross annual income below Rs **8 lakh**, was to be identified as EWS for the benefit of reservation.
- The notification **excluded** some persons from the EWS category if their families possessed certain **specified assets such as residential house and agricultural land beyond particular sizes**.

# Supreme Court's three-question test for validity of 10% EWS quota



Relevance: Prelims & Mains Paper II; Polity

## Arguments against amendment

- A. Special protections guaranteed to **socially disadvantaged groups** are part of basic structure, and **not economically disadvantaged** groups.
- B. The petitioners have also challenged the amendment on the ground that it violates the **Supreme Court's 1992 ruling in Indra Sawhney & Ors v Union of India**.
- 1. This judgement capped reservations at **50 per cent**.
  - 2. The court also held that **economic backwardness cannot be the sole criterion** for identifying a backward class.
- C. **Private, unaided educational institutions** have argued that their **fundamental right to practise a trade/ profession** is violated when the state compels them to implement its reservation policy and admit students on any criteria other than merit.

# Supreme Court's three-question test for validity of 10% EWS quota



Relevance: Prelims & Mains Paper II; Polity

## Arguments by the government

A. **Article 46 of Directive Principles of State Policy** - The state shall promote with special care the educational and **economic interests of the weaker sections** of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes.

B. Against the argument of **violation of the basic structure**, the government said that "to sustain a challenge against a constitutional amendment, it **must be shown that the very identity of the Constitution has been altered**".

C. The government has relied on the SC's 2008 ruling in **Ashoka Kumar Thakur v Union of India**, in which the **court upheld the 27 per cent quota for OBCs**.

The argument is that the **court accepted that the definition of OBCs was not made on the sole criterion of caste but a mix of caste and economic factors**; thus, there need not be a sole criterion for according reservation.

## Gyanvapi Mosque case



Relevance: Prelims & Mains Paper II; Governance

### Details of case

- Last year, five women filed a **civil suit seeking enforcement of their right to worship deities** within the **Gyanvapi mosque complex**.
- In April, the Civil Judge (Senior Division) allowed a **video survey** of the mosque where a **Shivling** was said to have been found.
- The **Anjuman Intezamia** moved the **Supreme Court**, arguing that the proceedings were an **attempt to change the religious character of the mosque and violation of The Places of Worship Act, 1991**.
- On May 20, the **Supreme Court**, underlining the "complexity of the issues involved in the civil suit", **transferred the case to the District Judge**.

### District Court ruling

- The Varanasi District Court **dismissed the challenge by Anjuman Intezamia Masajid Committee**.
- The preliminary ruling by District Judge means that **the cases can now be heard** on merits where the parties have to present evidence to prove their claims.
- District Judge ruled that he **did not find any law that barred the petitioners from filing such a suit**.
- Under the **Code of Civil Procedure**, in the **initial stage, claims made in a suit must be prima facie accepted without going into the veracity of the claims, unless such a suit is barred by law**.