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1. Why NTA withdrew 'grace marks' awarded to 1,563 NEET candidates

Why in News?

The National Testing Agency (NTA) will re-conduct the National Eligibility cum Entrance Test for undergraduate medical studies (or NEET UG) for 1,563 candidates on June 23.

These candidates who were awarded 'grace marks' due to the loss of exam time now have two options before them: either to accept the NEET-UG score that they were originally awarded (without grace marks) or to re-appear for the exam on June 23.



Why were grace marks awarded in the first place?

After the exam on May 5, many candidates filed writ petitions before the High Courts of Punjab & Haryana, Delhi, and Chhattisgarh, alleging that they were not given enough time to complete. Exams started late in select centres — two in Chhattisgarh, and one each in Meghalaya, Surat, Haryana's Bahadurgarh, and Chandigarh.

A Grievance Redressal Committee (GRC) set up by the NTA to look into these allegations found merit in the students' grievances, and suggested that affected candidates be compensated for the time lost. They advised that the same normalisation formula be adopted which had been approved by the Supreme Court in relation to the CLAT examination in 2018, where something similar had occurred.

Based on this, the NTA awarded grace marks to 1,563 candidates. Six of them, however, ended up getting a perfect 720/720 due to this, making them NEET-UG All-India toppers. After the results were announced, several students and other stakeholders approached the NTA and the Supreme Court, alleging that this was not a fair way to deal with the situation.

On June 8, the Ministry of Education (MoE) and the NTA set up a high-powered committee (HPC) to review the results of the 1,563 candidates in question.

What did the HPC recommend?

The HPC, which was asked to submit appropriate recommendations within seven days, comprised the four senior experts.

After holding meetings, the panel suggested that the normalised scores of all 1,563 candidates be cancelled and withdrawn. It said that the impacted students should be informed of their

actual scores (without grace marks) through their registered email IDs, and also be given the opportunity to appear for a re-examination. Those who do not wish to appear for this retest, should be awarded their actual marks in the test conducted on May 5. Those who do appear for the retest would have their previous score invalidated. The NTA accepted these suggestions.

What was the HPC's rationale behind these recommendations?

The HPC concluded that the GRC had failed to consider a few points while adopting the normalisation formula of the CLAT 2018 Supreme Court verdict.

In its report submitted to the NTA, the HPC states that the GRC did not consider the fact that unlike computer-based tests, OMR-based exams such as NEET-UG do not have an automated system for time assessment (i.e. the timestamp of an examinee's activities during the exam).

The NTA had determined the time lost by candidates (due to delays on the part of the NTA's invigilators and staff) based on reports from exam invigilators, staff, observers, and the examination of CCTV footage. This, the committee felt, did not provide a level playing field in terms of determining the time lost across six centers.

Moreover, the HPC noticed that the GRC's recommended formula to compensate candidates for the time lost did not take into account that the compensation only had to be done for unattempted questions. This led to a "skewed situation" in which many candidates ended up scoring very high marks.

Thus, the HPC concluded that the "most appropriate, fair and reasonable solution to the issue would be to subject 1563 candidates to a retest at the earliest possible."

What happens now?

The NTA will now conduct a retest for these 1,563 candidates, and any other student for whom the directions of re-examination have been/ will be passed by Courts in individual cases filed. Official communication will be shared with the affected students via their registered email addresses, and fresh admit cards will soon be issued. Results for the retest will be announced on or before June 30.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

2. Red Fort case: What are the standards for awarding death sentence, the President's 'mercy' power

Why in News?

President Droupadi Murmu has rejected a mercy petition filed by Pakistani national Mohammed Arif who was sentenced to death for the December 22, 2000 terrorist attack at the Red Fort in which three people including two Army jawans were killed.

The President's decision, made on May 27, came after Arif failed to obtain relief from the Delhi High Court and Supreme Court in his appeals against a trial court order of October 2005. He can challenge the President's decision and prolong the proceedings further.

What standard do courts apply in death sentence cases?

In 1980, the Supreme Court (*Bachan Singh v. State of Punjab*) upheld the constitutionality of the death penalty, but established important guardrails. "Judges", the court said, "should never be bloodthirsty", and the death penalty should not be awarded "save in the rarest of rare cases when the alternative option is unquestionably foreclosed", and all possible mitigating circumstances have been considered. The court has reaffirmed the "rarest of rare" standard in several decisions since then.

The Report of the 262nd Law Commission published in 2015 recommended the "absolute abolition" of the death penalty "for all crimes other than terrorism related offences and waging war".

On the President's power to "grant pardons, etc., and to suspend, remit or commute sentences in certain cases" (Article 72 of the Constitution), the Law Commission Report said these 'mercy powers' provided additional protection against possible miscarriage of justice and, "therefore, cases found unfit for mercy merit capital punishment."

What happened during the attack at the Red Fort? How was Arif arrested?

Late evening on December 22, 2000, two Lashkar-e-Tayyeba terrorists sneaked into the Red Fort and opened fire, killing two jawans of the Army's Rajputana Rifles regiment and a civilian security guard before escaping.



President Murmu Rejects Mercy Plea of Lashkar Terrorist Convicted for 2000 Red Fort Attack

Mohammed Arif of the Lashkar-e-Taiba was sentenced to death in 2005 for his role in the attack, which killed three security personnel. The Delhi HC and the SC have since upheld his sentence.

Arif directed police to one Abu Shyamal alias Faizal, who was killed in an encounter at his hideout in Batla House, Okhla. Another alleged militant identified as Abu Sufian was killed in an encounter in Srinagar.

Investigators made a breakthrough after assault rifles were found abandoned outside the Red Fort, and four detonators with tags which said in Urdu: "Khabardar. Grenade firing ke liye taiyyar hai. Safety pin sirf hamle ke waqt nikalein,".

A polythene bag containing cash and a slip with a mobile phone number on it was also found, which led Delhi Police to Arif alias Ashfaq. He was arrested on December 26, along with his wife Rehmana Yusuf Farooqi.

Arif directed police to one Abu Shyamal alias Faizal, who was killed in an encounter

Delhi Police filed a chargesheet against Arif and 21 others on February 20, 2001, and a supplementary chargesheet on March 25 that year. The trial of 11 accused began on

September 11, 2001. Over the next three years, the prosecution examined 235 witnesses, and the trial court reserved judgment on October 14, 2005. On October 31, the court found seven of the accused guilty, and sentenced Arif to death.

How did Arif's appeals process progress?

In 2007, the Delhi High Court confirmed the trial court's decision to sentence Arif to death. Arif then appealed to the Supreme Court. On August 10, 2011, a Bench of Justices V S Sirpurkar and T S Thakur rejected the appeal, calling the attack an "undeclared war by some foreign mercenaries".

Providing a historical overview of Red Fort to highlight its significance as a national monument, the Bench stated that "even without any reference to any other case law", the case satisfies the standard of the "rarest of rare".

Arif continued to file petitions at the Supreme Court against the death sentence. The first review petition was rejected in August 2012, and the following curative petition — where the apex court can only interfere if there is an obvious error in its decision — was rejected in January 2014.

That same year, Arif filed another writ petition, arguing that cases arising out of a death sentence should be heard by a Bench of three judges or more, and that his 2012 review petition should be heard afresh. A five-judge Constitution Bench in September 2014 agreed with his arguments, and held that "at least three judicially trained minds need to apply their minds at the final stage of the journey of a convict on death row".

The case was then placed before a three-judge Bench led by former Chief Justice of India U U Lalit. On November 3, 2022, nearly 22 years after the attack, the Bench rejected Arif's plea, finding that "there was a direct attack on the unity, integrity and sovereignty of India."

The court set aside findings based on call data records, but held that "other circumstances on record do clearly spell out and prove beyond any doubt the involvement of the review petitioner in the crime...".

President Murmu received Arif's mercy petition on May 15, 2024.

What can happen here onward?

Arif has the option of challenging the President's rejection of his mercy petition. At a procedural level, the apex court has held that the President's power must be exercised based on the aid and advice of the Council of Ministers, and can be challenged on multiple grounds — including that relevant material was not considered, the power was exercised based on political considerations, or that there was no application of mind.

The top court has also commuted the death sentence in cases of inordinate delay in deciding mercy petitions, such as in the case of Shatrugan Chauhan v. State of U.P. (2014).

The court also commuted the sentence of one Gurmeet Singh after he spent 27 years in custody (and 21 years on death row). The court found that there was an inordinate delay in

deciding his mercy petition, which was disposed of in March 2013 more than seven years after the Supreme Court first upheld the death sentence.

In April 2023, the Supreme Court declined to interfere with an order of the Bombay High Court, which commuted the death sentence awarded to a woman and her sister on grounds of inordinate delay in deciding the mercy petitions of the accused.

Arif has spent over 23 years in custody, and close to 19 years under a death sentence.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

3. Why has New Zealand removed the 'burp tax' on livestock?

Introduction

Earlier this week, New Zealand's centre-right government announced scrapping the 'burp tax' — a scheme to tax greenhouse gas emissions from livestock.

The burp tax was introduced in October 2022 under the leadership of then Prime Minister Jacinda Adern, whose Labour Party lost last year's elections, making way for the currently ruling coalition led by the National Party.

Why was the 'burp tax' introduced in New Zealand?

The primary aim of the scheme was to curtail methane emissions from Ruminants. they are hoofed grazing or browsing herbivores that chew cud. Ruminants such as cows, sheep, goats, and buffaloes have a special type of digestive system that allows them to break down and digest food that non-ruminant species would be unable to digest.

Stomachs of ruminant animals have four compartments, one of which, the rumen, helps them to store partially digested food and let it ferment. This partially digested and fermented food is regurgitated by the animals who chew through it again and finish the digestive process.

However, as grass and other vegetation ferments in the rumen, it generates methane, a potent greenhouse gas, which is one of the main drivers of climate change. Methane is responsible for 30% of the warming since preindustrial times, second only to carbon dioxide. Ruminant animals such as cows and sheep release this gas mainly through burping.

Given the very large numbers of cattle and sheep on farms in dairy-producing countries, these emissions add up to a significant volume. For instance, in New Zealand, there are around 10 million cattle and 25 million sheep, which are the source of nearly half of the country's greenhouse gas emissions.

Therefore, the previous government decided to impose a tax on livestock.

How cattle produce methane

Everything the cattle eats passes through a section of stomach called the rumen.

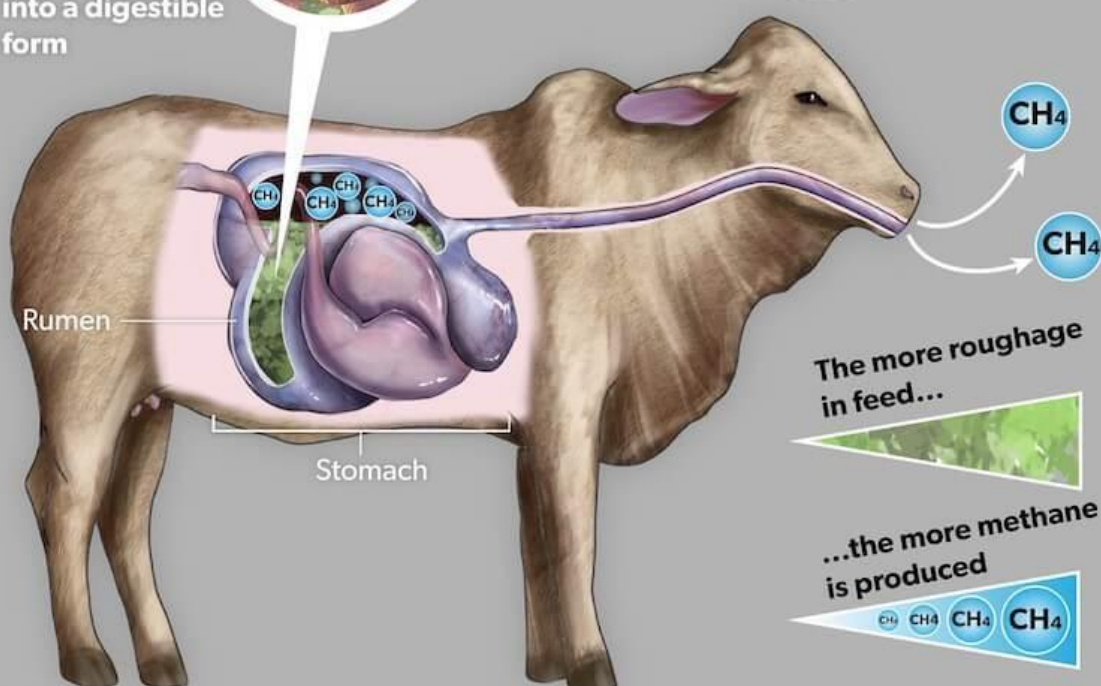
This contains microbes which ferment plant material into a digestible form



Fermentation produces

CH₄
methane

Which collects in the top of the rumen and is burped out



Why has the tax been removed?

The introduction of the burp tax sparked protests by farmers across the country. The farmers argued that the scheme coupled with other agriculture emission regulations would severely impact their livelihood. The then Labour Party-led government, however, did not budge.

The new centre-right coalition in power currently has decided to scrap the tax, saying it would explore other ways of reducing methane emissions.

Relevance: GS Prelims & Mains Paper III; Environment

Source: Indian Express