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1. What is Digital Bharat Nidhi, govt's fresh attempt at improving rural telecom connectivity?

Why in News?

The Department of Telecommunications (DoT) recently released draft rules to operationalise the Digital Bharat Nidhi, in a fresh attempt by the central government at increasing telecom connectivity in rural areas.



Digital Bharat Nidhi would replace the erstwhile Universal Service Obligation Fund (USOF), which is a pool of funds generated by a 5 per cent Universal Service Levy charged upon all the telecom fund operators on their Adjusted Gross Revenue (AGR).

The idea is that this money would be used to fund the expansion of telecom networks in

remote and rural areas, where private companies may otherwise resist offering their services due to them not being revenue-generating markets.

With the Centre notifying parts of the Telecom Act last month, it has also proposed additional rules for the final makeover of the USOF as the Digital Bharat Nidhi (DBN) – which would have a relatively wider scope than the USOF.

Digital Bharat Nidhi

As per the Telecom Act, contributions made by telecom companies towards the Digital Bharat Nidhi will first be credited to the Consolidated Fund of India (CFI). All revenues that the government receives, including loans raised and all money received in repayment of loans, are credited to the CFI. The government also incurs its expenditures from this fund.

The Centre will deposit the collected funds to the DBN from time to time.

Funds collected under the DBN will be used to support universal service through promoting access to and delivery of telecommunication services in underserved rural, remote and urban areas; fund research and development of telecommunication services, technologies, and products; support pilot projects, consultancy assistance and advisory support for improving connectivity; and for the introduction of telecommunication services, technologies, and products.

Operation of Digital Bharat Nidhi

As per the draft rules issued by the DoT on how the DBN will be operationalised, the Centre will appoint an "administrator" who will select "DBN implementers" through "bidding" or invitation of applications from eligible persons.

This so-called administrator will determine the modalities of providing funding to DBN implementers on a case-by-case basis, including but not limited to full funding, partial funding, co-funding, market risk mitigation, and risk capital.

The DBN shall fund schemes and projects for providing targeted access to telecommunication services for underserved groups of society such as women, persons with disabilities and economically and socially weaker sections, as per the draft rules.

Underutilisation of USOF

Since its establishment in 2003, a common criticism of the USOF has been its relative underutilisation.

According to information shared in Parliament by former Minister of State for Communications Devusinh Chauhan in December 2022, between 2017 and 2022, the government had collected Rs 41,740 crore as part of contributions made by telcos towards the USOF, of which it had utilised Rs 30,213 crore – about 72 per cent.

Most notably, in 2019-20, the collection was Rs 7,962 crore, of which the utilised amount was just Rs 2,926 crore. In the period specified by the former minister, the government did not achieve complete utilisation even once.

A key reason for the weak spending from the USOF can be attributed to the underspending of funds allocated for the BharatNet project for fibre connectivity to villages.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

2. What are new provisions for police officers relating to FIRs, videography, arrest and timelines?

Why in News?

The new criminal laws have become effective from July 1. SOPs have been issued by the Bureau of Police Research and Development (BPRD) to guide police officers in implementing the new provisions.

What are rules for registering FIRs?

The officer in-charge of a police station cannot refuse to register an FIR on the basis of lack of jurisdiction or disputed jurisdiction. He is legally bound to register (popularly known as a zero FIR) and transfer such a case to the respective police station. Though this practice was followed earlier too, the Bharatiya Nagarik Suraksha Sanhita (BNSS) now has a direct provision under Section 173; non-registration of FIRs may attract penal action under various sections.



What is zero FIR?

Zero FIR is an FIR registered in a police station that does not have jurisdiction over the spot where the crime was committed.

Additionally, while information can be given orally or in writing as before, it may also be given by electronic means which is to be taken on record by the officer in-charge if it is signed within three days by the person giving it. While no one can stop a police officer from enquiring into the information immediately if it is of a sensitive nature, the electronic mode by which information may be given must be decided by the agencies, such as the Crime and Criminal Tracking Network and Systems (CCTNS) portal, the police website or officially published email IDs.

What about videography?

The BNSS mandates videography during a search conducted by the police under Section 185; of the scene of crime (Section 176); and of the process of conducting a search of a place or taking possession of any property (Section 105). Since these are mandatory provisions, any negligence on the part of the police may benefit the accused persons. Therefore, investigating officers (IOs) must be provided electronic devices and proper training to discharge such functions.

A cloud-based mobile app, 'eSakshya' has been designed by the National Informatics Centre for enforcement agencies, which allows capturing multiple photos and videos. The photographs of witnesses and selfies of IOs may be captured using this app. Each item is geo-tagged and time-stamped to ensure the integrity of data. Since eSakshya is an initiative under the Inter-operable Criminal Justice System (ICJS), this data will be available to other agencies such as the judiciary, prosecution and cyber forensic experts.

What about provisions of arrest?

Information about arrested persons is to be mandatorily displayed in police stations. Section 37 of the BNSS requires a police officer in every police station, not below the rank of Assistant Sub-Inspector, to be responsible for maintaining and prominently displaying information about the arrested persons. Therefore, boards (including in digital mode) containing names, addresses and the nature of the offence must be put up outside police stations and district control rooms.

Some restriction has been imposed on the arrest of frail or sick and elderly persons. Section 35(7) states that the permission of an officer not below the rank of DySP is mandatory for arresting a person charged with an offence punishable for imprisonment of less than three years if such person is infirm or is above 60 years of age. Similarly, though the law now provides for the use of handcuffs in certain cases, the IOs must use them cautiously. The Supreme Court has laid down that handcuffing may be done only when there is a possibility of escaping from custody or causing harm to himself or others.

What about timelines?

In case of medical examination of a victim of rape, the registered medical practitioner is mandated under Section 184 (6) of the BNSS to forward the medical report to the IO within seven days, who shall forward it to the magistrate concerned. Therefore, doctors must be sensitised about the new law. The investigation of POCSO cases is required to be completed within two months of recording the information of the offence. Earlier, this time limit was only for rape cases under the Indian Penal Code.

A new provision under Section 193(3)(h) requires the IO to maintain the sequence of custody of an electronic device. Though maintaining a chain of custody is important for every seizure, emphasis is laid on electronic devices because they are sensitive pieces of evidence and more vulnerable to tampering. While every police officer is required to upgrade his skills about maintaining integrity of electronic records, the task of the (cyber) expert is likely to increase with many of the mandatory provisions coming into effect.

This sub-section also imposes a duty to inform the progress of the investigation within 90 days to the informant or victim.

Section 113 introduced in the Bharatiya Nyaya Sanhita (BNS) defines what is a 'terrorist act' and imposes the duty on an officer, not below the rank of Superintendent of Police (SP), to decide whether to register a case under this Section or the UAPA. Since, no guidelines are given to exercise this discretion, the SP may inter-alia consider factors such as whether the terrorist organisation is notified under the UAPA, approximate time needed to complete investigation, the rank of the IO and the level of scrutiny required, and how dangerous the accused person is.

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu

3. What is Order of Saint Andrew the Apostle, conferred upon PM Modi?

Why in News?

Prime Minister Narendra Modi was recently awarded Russia's highest civilian honour, the Order of Saint Andrew the Apostle, during his visit to the country.

The award for the PM was announced in 2019, for "exceptional services in promoting special & privileged strategic partnership between Russia and India and friendly relations between the Russian and Indian peoples."



What is the award, and who gets it?

The award is given to prominent government and public figures, military leaders, and outstanding representatives of science, culture, art, and various sectors of the economy for exceptional services to Russia. It can also be awarded to heads of foreign states for outstanding services to the Russian Federation.

Its name comes from Saint Andrew, who is believed to be one of the apostles or 12 original followers of Jesus. After Christ's crucifixion, the apostles are said to have travelled great distances to spread his message. Saint Andrew travelled to Russia, Greece, and other places in Europe and Asia, and founded the Church of Constantinople, which later led to the establishment of the Russian Orthodox Church. More than 90 million people follow the Church in Russia, out of the country's population of around 140 million.

Saint Andrew is regarded as the patron saint of Russia and Scotland. The 'X' symbol on the flag of Scotland comes from the saint's symbol, called the 'Saltire'. It is believed that he was crucified on a cross of a similar shape.

Tsar Peter the Great (1672–1725) established the Order of Saint Andrew in 1698. The order was abolished in 1918 following the Russian Revolution, which overthrew the Tsarist regime. It was re-established in 1998 by an Executive Order of the President of Russia.

Who has received the honour earlier?

Past recipients largely include influential figures in Russia, such as military engineer and gun designer Mikhail Kalashnikov, author Sergey Mikhalkov, the last leader of the Soviet Union Mikhail Gorbachev, Russian Orthodox Church leader Patriarch Alexy II, and the current head of the Russian Orthodox Church Patriarch Kirill.

Foreign leaders who have been honoured in the past include Chinese President Xi Jinping in 2017, and the former President of Kazakhstan, Nursultan Nazarbayev.

Relevance: GS Prelims & Mains Paper II; Bilateral Relations

Source: Indian Express