

### WHAT ARE TRIBUNALS IN INDIA?

The Supreme Court recently clarified that tribunals functioning under the strict parameters of their governing legislation cannot direct the government to make policy.



- Tribunals are judicial or **quasi-judicial institutions** established by law.
- They intend to provide a platform for **faster adjudication** as compared to traditional courts, as well as **expertise on certain subject matters**.
- It performs a number of functions, like **adjudicating disputes, determining rights** between contesting parties, **making an administrative decision, reviewing an existing administrative decision**, and so forth.

#### Constitutional Recognition:

- The **42nd Amendment Act, 1976**, inserted **Articles 323-A and 323-B**.
- **Article 323A** empowers **Parliament to constitute administrative Tribunals** (both at the central and state levels) for adjudication of **matters related to the recruitment and conditions of service of public servants**.
- **Article 323B** specifies **certain subjects** (such as taxation and land reforms) for which **Parliament or state legislatures may constitute tribunals** by enacting a law.

#### Composition of Tribunals:

- The presence of **expert members** (technical members) **along with judicial members** is a key feature of tribunals, which distinguishes them from traditional courts.
- The Supreme Court has noted that **the members** of a tribunal **may be selected from departments of the central govt** as well as from **various other fields of expertise**.
- **Only persons with a judicial background** may be considered for appointment as **Judicial Members**.
- The Supreme Court specified that there is **no need of a technical member if jurisdiction of courts is transferred to tribunals to achieve expeditious disposal** of matters.

## WHAT IS NUCLEAR FUSION?

Scientists have managed to repeatedly produce nuclear fusion ignition for the first time, marking a major milestone towards achieving near-limitless clean energy at scale.



### About Nuclear Fusion:

- It is the process by which **two light atomic nuclei combine to form a single heavier one while releasing massive amounts of energy.**
- Fusion reactions **take place in a state of matter called plasma—a hot, charged gas** made of positive ions and free-moving electrons with unique properties distinct from solids, liquids, or gases.
- The sun, along with all other **stars, is powered by this reaction.**

### What are Tokamaks?

- The devices designated for the task of doing this here on Earth—**nuclear fusion reactors— are called tokamaks.**
- Tokamaks are often **also called 'artificial suns'** due to the fact that these doughnut-shaped machines replicate processes that occur in the sun.
- There are **currently over 200 tokamaks in operation** across the globe, with the scientific milestones achieved in these devices **developing a roadmap for the operation of the International Thermonuclear Experimental Reactor, or ITER, the world's largest fusion experiment under construction in the south of France.**
- A commercial tokamak will **aim to use the thermal energy of plasma heated by fusion** to heat water, create steam, and, in turn, spin a turbine that generates electricity.
- Though fusion can involve a wealth of chemical elements, the nuclear reaction that **most tokamaks aim to make viable is the fusion of the heavy hydrogen isotopes deuterium** (with a nucleus of one proton and one neutron) **and tritium** (one proton and two neutrons). Fusing the atoms of these elements together **creates a neutron and a helium nucleus.**

## Advantages of Nuclear Fusion:

- Nuclear Fusion **produces more energy than fission does**. Fusion could generate four times more energy per kilogram of fuel than fission (used in nuclear power plants) and nearly four million times more energy than burning oil or coal.
  - It also **doesn't produce radioactive byproducts** that need to be stored or harmful carbon emissions; it simply produces inert helium and a neutron.
  - **Unlimited Fuel Supply**: The fuel to make fusion happen is **simply heavy hydrogen atoms**, which can be found in something that **Earth has in abundance: seawater**. No mining of uranium is required.
  - It is much **safer than nuclear fission**, since fusion **can't create runaway reactions**.
- 

## TELECOMMUNICATION BILL 2023

### Why in News?

- The Telecommunications Bill, 2023, was passed in the Parliament this week.

### About Telecommunications Bill, 2023:

- At present, the Indian Telecommunications sector is governed by three separate Acts of Parliament –
  - **Indian Telegraph Act 1885,**
  - **Indian Wireless Telegraphy Act 1933,**
  - **Telegraph Wires, (Unlawful Protection) Act 1950**
- The Telecommunications Bill, 2023 aims to consolidate these three separate Acts.
- **Aim**: To amend the existing laws governing the provision, development, expansion and operation of telecommunication services, telecom networks and infrastructure, in addition to assignment of spectrum.

### Key Issues with the Bill:

- **Interception of communication:**

- The Bill provides that any message or class of messages between two or more persons may be intercepted, monitored, or blocked on specified grounds.
- Such grounds include:
  - (i) the interest of the security of the state,
  - (ii) friendly relations with other countries,
  - (iii) public order, or
  - (iv) prevention of incitement of offences.
- Telecom services may be suspended on similar grounds (e.g., internet shutdown).
- **Whether procedure and safeguards should be provided in the Bill:**
  - The procedure and safeguards are to protect the fundamental rights of individuals against the actions of the government.
  - Hence, this raises the question whether they should be specified in the Bill, instead of being delegated to Rules issued by the government.
- **The Bill may allow mass surveillance:**
  - The Bill provides that any message or class of messages between two or more persons, or relating to any particular subject, may be subject to interception, monitoring, or blocking.
  - These actions will be subject to procedure and safeguards prescribed by the central government.
- **Safeguards with regard to the power of search and seizure not specified:**
  - The Bill allows any officer authorised by the central government to search a premise or vehicle on specified grounds.
  - The Bill neither specifies the procedure and safeguards against such actions, nor provides that such safeguards will be prescribed.
- **Need for biometric verification:**
  - The Bill provides that telecom service providers must verify the identity of their users through any verifiable biometric-based identification.
  - This requirement may not be proportionate, and may infringe upon the fundamental right to privacy.

## HUMAN TRAFFICKING IN INDIA: 13 MINORS ON PLANE HELD IN FRANCE OVER SUSPECTED HUMAN TRAFFICKING

### Why in New?

- 13 unaccompanied minors are among the more than 300 Indian passengers of a Nicaragua-bound plane held in France over suspected human trafficking.
- The plane has been held at Vatry airport, 150 km east of Paris, since arriving from Dubai, following an anonymous tip-off that it was carrying potential victims of human trafficking.

### Human Trafficking in India:

- **Meaning:**
  - Trafficking means a trade which is **illegal**. Human trafficking is carrying out a **trade on humans**.
  - **Humans are trafficked for the purpose** of sexual slavery, commercial sexual exploitation, extraction of organs or tissues, forced marriage, forced labour or domestic servitude.
  - Human trafficking after drugs and the arms trade is the **3rd largest organised crime across the world**.
- **Prevalence in India:**
  - According to India's National Crime Records Bureau (NCRB), over 6,500 human trafficking victims were identified in the country during 2022 - 60% of them women and girls.
  - Experts believe the actual numbers are much higher, due to acute underreporting.

### Constitutional and Legislative Provisions Related to Trafficking in India:

- Trafficking in Human Beings or Persons is prohibited under the Constitution of India under **Article 23 (1)**.

- **The Immoral Traffic (Prevention) Act 1956 (ITPA)** is the premier legislation for prevention of trafficking for commercial sexual exploitation.
- **The Criminal Law (Amendment) Act 2013** has come into force wherein Section 370 of the **Indian Penal Code** has been substituted with Section 370 and 370A IPC.
- This provides for comprehensive measures to counter the menace of human trafficking including trafficking of children for exploitation in any form including -
  - physical exploitation or any form of sexual exploitation,
  - slavery, servitude, or the forced removal of organs.
- **The Protection of Children from Sexual offences (POCSO) Act 2012** is a special law to protect children from sexual abuse and exploitation.
  - **It provides precise definitions** for different forms of sexual abuse, including penetrative and non-penetrative sexual assault, sexual harassment.
- There are **other specific legislations** enacted relating to trafficking in women and children, such as the
  - Prohibition of Child Marriage Act, 2006,
  - Bonded Labour System (Abolition) Act, 1976,
  - Child Labour (Prohibition and Regulation) Act, 1986,
  - Transplantation of Human Organs Act, 1994, etc.
- **State Governments** have also enacted specific legislations to deal with the issue (e.g., The Punjab Prevention of Human Smuggling Act, 2012).

## Measures Taken by the Government of India to Prevent and Combat Human Trafficking:

- With a view to tackle the menace of human trafficking, **Ministry of Home Affairs (MHA)**, Government of India has undertaken a number of measures such as:
- **Anti-Trafficking Cell (ATC):** Anti-Trafficking Nodal Cell was set up in the MHA to act as a focal point for communicating various decisions and follow up on action taken by the State govts to combat the crime of Human Trafficking.



- **Ministry of Home Affairs' scheme:** MHA under a Comprehensive Scheme for Strengthening law enforcement response in India, has released funds for establishment of Anti-Human Trafficking Units for 270 districts of the country.
  - **Strengthening the capacity building:** For this, various Training of Trainers (TOT) workshops on Combating Trafficking in Human Beings for Police officers were held throughout the country.
  - **Judicial Colloquium/Seminar:** In order to train and sensitise the trial court judicial officers, Judicial Colloquium on human trafficking is held at the High court level.
- 

## CHINESE COMMERCIAL ENTITIES AND INDIA'S INTERNAL SECURITY

### Why in news?

- The Enforcement Directorate (ED) has made three fresh arrests in connection with its money laundering probe against Chinese smartphone-maker Vivo and some others.
- The three have been taken into custody under the provisions of the Prevention of Money Laundering Act (PMLA).

### Chinese Commercial Entities (CCE) and India's internal security

#### Background:

- A disturbing picture of Chinese Commercial Entities (CCE) has emerged after a series of actions by Indian authorities since 2020.
  - The investigation began after the June 15, 2020, incident in Ladakh's Galwan.
- Actions by Indian authorities included busting of spying rings, tax raids on major Chinese telecom companies, a crackdown on mobile apps and a study of incoming investments into India.
- The actions by these agencies revealed a web of companies and individuals indulging in espionage, profiling of high value individuals, large-scale tax evasion and exfiltration of bulk data.
- These facts point to Beijing's growing hunger for data and secrets.

## What were the findings of investigating agencies?

- The assessment by agencies found that the Chinese commercial entities operate in India with **five primary objectives**:
  - influencing minds,
  - build economic control,
  - acquisition of data,
  - for espionage and
  - to target scientists to compromise innovation and intellectual property rights (IPRs).
- The objective of counterintelligence is pursued through top officials of Chinese companies in India.
- Small-size shell companies were also used as financial conduits to fund espionage rings and resident agents.

## Steps Taken By The Government

- **Crackdown by investigating agencies**
    - Chinese commercial entities are under sustained investigation by the intelligence agencies since 2020.
  - **Clampdown on Chinese investment**
    - In 2020, Central govt declared that foreign investments from countries with which India shares land border shall be under approval route.
  - **Ban on Chinese app**
    - The govt of India has banned more than 250 Chinese apps including PUBG Mobile, Tiktok, Shein, AliExpress and more.
  - **Other steps**
    - The Intelligence Bureau created a new wing — **China Coordination Centre** — to collaborate with financial enforcement agencies to investigate Chinese companies.
-



## PROJECT PRAYAS

Recently, the International Organisation for Migration (IOM) launched Project PRAYAS to help Indian workers and students migrate in a secure, orderly, and regular manner.



### About Project PRAYAS:

- **Promoting Regular Assisted Migration for Youth and Skilled Professionals (PRAYAS)** was launched in partnership with the **Ministry of External Affairs (MEA)**.
- It is one of the first attempts to consolidate all the state-level initiatives for safe, orderly, and well-managed international migration.
- **Goal:** To facilitate safe, orderly, and regular **migration for aspiring Indian migrant workers and students** through policy recommendations in collaboration with the MEA and state governments, thus strengthening international migration governance.
- It aims to undertake a **study, capturing the key migration trends**, the needs and aspirations of migrants, and the major international migration and mobility initiatives taken by the union, as well as the state governments sharing the analysis with the ministry.

### Key facts about the International Organisation for Migration (IOM)

- Established in 1951, IOM is a **United Nations (UN) agency** dedicated to promoting humane and orderly migration.
- The IOM defines the term migrant as: “a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons.”
- **Member countries:** It currently has 172 member states and 8 states holding observer status. **India is a member** of this organization.
- **Headquarters:** Geneva, Switzerland.