

### INTERNATIONAL COURTS AND CLIMATE CHANGE

#### Context

- Vanuatu - an island country in the South Pacific Ocean, recently led a draft UN resolution requesting an advisory opinion from the International Court of Justice (ICJ) on state's legal obligation for climate action.
- The article however put emphasis to exercise caution while seeking such advisory opinions as these may turn out to be double-edged swords depending on the kind of verdict delivered.

#### What was the Need for Draft Resolution?

- **Vanuatu** is facing sea level rise and increasingly powerful cyclones that periodically cripple its economy and threaten its population of just over 3 lakh people.
  - As emissions rise and the world remains off track to meet its climate goals, overheating is threatening the archipelago's ecology, livelihoods and infrastructure.
- Earlier this year, in its updated **2030 climate plan**, Vanuatu set out **\$178 million** worth of measures it wants to take to respond to loss and damage.
  - **For example**, including affordable micro-insurance, essential healthcare, relocation of communities away from threats.
- The international community has fallen short of delivering concrete solutions and acting together on the issue of climate change.
  - For instance, the recently concluded 27th UN Climate Change Conference (**COP-27**) failed to resolve differences of nations on critical issues such as reducing greenhouse gas emissions.

#### Jurisdiction of ICJ

- The ICJ has two types of jurisdictions as follows:
- **Contentious jurisdiction**: It refers to resolving legal disputes between consenting states and decisions given under it are **binding**.

- **Advisory jurisdiction:** Under this, the UN General Assembly (UNGA), the Security Council (SC) and other specialized bodies of the organization can request the ICJ for an opinion on a legal question.
  - The ICJ's advisory opinions are **non-binding**, yet they **carry normative weight** and clarify international law on a relevant issue.
- Thus, **ICJ's advisory opinion on climate change** could be a powerful way of **driving** countries globally to take **stronger climate action**.
  - It will also **strengthen vulnerable countries'** position in **international negotiations** and come handy in climate-related litigation at the national level.

## Conclusion

- As part of a multi-pronged approach to save planet, the role of international courts should be welcomed. Developed countries and groupings like the G-20 should also support these laudable initiatives of the SID states.
- Environment and climate sustainability being important themes of G-20, India, as its president, should take a lead given its relentless emphasis on LiFE (developing environment-friendly lifestyle) campaign.

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## WHAT IS NEW IN RTI ACT?

Recently, Madras HC said RTI Act will not apply to cooperative societies.



### Why in News?

- The Madras High Court has set aside an order passed by Tamil Nadu State Information Commission directing a cooperative society to disclose information under the Right to Information (RTI) Act of 2005.

### The Right to Information Act, 2005:

- The basic objective of RTI Act is to empower the citizens, promote transparency and accountability in the working of the Government.

- In view of it parliament passes an act called Right to Information (RTI) Act in June, 2005.
- Salient Features :
  - All citizens possess the right to information.
  - Applicability:
    - All Central, State and local level bodies which are set up under the Constitution or under any other State or Central statute, which includes even bodies like the President, the legislature and the judiciary and all related Ministries, departments and agencies.
    - Anybody owned, controlled or substantially financed or any non-Government organization substantially financed directly or indirectly by Government. This includes private bodies which receive funding from the Government.
  - Exemption:
    - Some bodies such as security or intelligence agencies
  - It requires that PIOs shall provide information within 30 days but applications requesting information regarding a citizen's life and liberty must be granted or refused within 48 hours.

## PRADHAN MANTRI BHARTIYA JANAUSHADHI KENDRAS

Union Health Minister recently said that the number of Pradhan Mantri Bhartiya Janaushadhi Kendras (PMBKs) has increased to 9,082 as on January 31, 2023.



### About Pradhan Mantri Bhartiya Janaushadhi Kendras (PMBKs):

- PMBKs are set up under Pradhan Mantri Bhartiya Janaushadhi Pariyojana, which was launched by the Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers in November 2008.
- Objective: To provide quality medicines at affordable prices for all, particularly the poor, so as to reduce out-of-pocket expenses in healthcare.
- PMBKs provides generic drugs, which are available at lesser prices but are equivalent in quality and efficacy as expensive branded drugs.
- All therapeutic medicines are made available from Jan Aushadhi Stores.

- Jan Aushadhi stores **also sell allied medical products** commonly sold in chemist shops so as to improve the viability of running the Jan Aushadhi store.
- **Pharmaceutical & Medical Devices Bureau of India (PMBI)** has been established under the Department of Pharmaceuticals, Govt. of India, with the support of all the CPSUs for **co-ordinating procurement, supply, and marketing of generic drugs through the PMBKs.**

### Who can open a Jan Aushadhi Kendra?

- **State Governments** or any organization / **reputed NGOs** / Trusts / **Private hospitals / charitable institutions** / Doctors / Unemployed pharmacists/ individual entrepreneurs **are eligible** to apply for the new Jan Aushadhi Kendra.
- The applicants **shall have to employ one B Pharma / D Pharma degree holder** as Pharmacist in their proposed store.

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### WHAT IS CE-20 CRYOGENIC ENGINE?

ISRO recently conducted a flight test of cryogenic engine for the Chandrayan-3 mission.



#### About CE-20 cryogenic engine:

- It has been **designed and developed by the Liquid Propulsion Systems Centre (LPSC)**, a subsidiary of ISRO.
- It will **power the Cryogenic Upper Stage of the LVM3 launch vehicle** for the **Chandrayaan-3 mission.**
- It is the **first Indian cryogenic engine to feature a gas-generator cycle.**
- It is one of the most **powerful upper-stage cryogenic engines in the world.**
- This engine develops a **nominal thrust of 186.36 kN in vacuum.**

#### What is a Cryogenic stage?

- The cryogenic stage is technically a very **complex system** due to its **use of propellants at extremely low temperatures** and the associated thermal and structural problems.
- It uses **liquid fuels that are cooled to very low temperatures.**

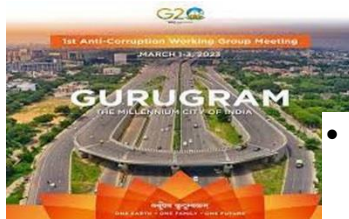
- A Cryogenic rocket stage is **more efficient** and **provides more thrust for every kilogram of propellant it burns** compared to solid and earth-storable liquid propellant rocket stages.

### **Chandrayaan-3 Mission:**

- Chandrayaan-3 is **India's third moon mission** and is a follow-on mission to Chandrayaan-2 to demonstrate **end-to-end capability in safe landing and roving on the lunar surface**.
- Chandrayaan-3 mission has **three major modules** — the **Propulsion module, Lander module, and Rover**.
- The mission is slated to be launched **later this year by Launch Vehicle Mark 3 (LMV3)** from the Satish Dhawan Space Centre at Sriharikota.

### **FIRST G- 20 ANTI-CORRUPTION WORKING GROUP MEETING (ACWG)**

The First Anti-Corruption Working Group Meeting (ACWG) of G-20 is set to take place in Gurugram, Haryana, from 1st to 3rd March 2023.



### **About the first G- 20 ACWG Meeting:**

- It is under India's chairpersonship, and **Italy is the co-chair country**.
- Over 90 delegates from 20 member countries, 10 Invitee countries, and 9 International Organizations will engage in **detailed deliberations on strengthening International Anti-corruption mechanisms**.
- **Focus areas:**
  - Enhancing the effectiveness of **asset-tracing and identification mechanisms**;
  - Developing mechanisms for **rapid restrain of illicit assets**;
  - Promoting **effective use of open-source information and asset recovery networks**;
- **The theme of India's G20 Presidency is - "Vasudhaiva Kutumbakam" or "One Earth. One Family, One Future"**.

### **Background of ACWG:**



- The G20 Anti-Corruption Working Group (ACWG) was set up in June 2010 at the Toronto Summit.
- G20 ACWG has been at the forefront of guiding the anti-corruption initiatives of G20 countries
- **Primary Goal:** To prepare "comprehensive recommendations for consideration by leaders on how the G20 could continue to make practical and valuable contributions to international efforts to combat corruption."
- ACWG will explore the proactive sharing of information, improving the existing Mutual Legal Assistance framework and simplifying mechanisms for sharing of information between domestic law enforcement authorities in criminal matters.
- The ACWG actively works with the World Bank Group, OECD, UNODC, IMF, and FATF, as well as with Business 20 (B20) and the Civil Society 20 (C20).

## QR-CODE BASED COIN VENDING MACHINE (QCVM)

RBI recently announced its plan to launch a pilot project to assess the functioning of QR-code based coin vending machines (QCVM).



### About QR-Code based Coin Vending Machine (QCVM):

- QCVM is a cashless coin dispensation machine that would dispense coins with the requisite amount being debited from the customer's account using United Payments Interface (UPI).
- It will eliminate the need for physical tendering of banknotes and their authentication.
- It will be launched with an aim to promote the distribution of coins and enhance the accessibility to coins.
- Customers will also have the option to withdraw coins in required quantity and denominations in QCVMs.
- The pilot project is planned to be initially rolled out at 19 locations in 12 cities across the country.

- These vending machines are **intended to be installed at public places** such as railway stations, shopping malls, and marketplaces to enhance ease and accessibility.
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## WHAT IS THE ANTI-DEFECTION LAW?

Supreme Court recently said that legislators facing disqualification under the anti-defection law cannot participate in the floor test.



### About Anti-defection law:

- It was **introduced** in India in **1985** through the **52<sup>nd</sup>** amendment to the Constitution of India.
- This amendment **added the Tenth Schedule to the Constitution**, which lists out the **provisions related to defection**.
- It **lays down the process by which legislators may be disqualified** on grounds of defection by the **Presiding Officer** of a legislature **based on a petition by any other member of the House**.
- This schedule applies to **both Central and State legislature**.
- **Aim:** The main aim of this schedule was to **prevent political defections** and to strengthen democracy by **bringing stability in politics** and make members of parliament more responsible and loyal to their parties.
- **Grounds of disqualification:** A member of any state or central legislature can be disqualified from being a member if,
  - **He voluntarily gives up his membership of a political party.**
  - **He disobeys the directions** of his political party or votes or does not vote in the legislature contrary to the directions of his political
  - **After the election, he joins another political party.**
- If a **nominated member joins any political party after 6 months** from the day, he becomes a member of the legislature.
- **Exemptions:**
  - Disqualification of a member is **not applied in case of a merger**, provided that this merger with or into another party **shall be done with the consent of at least two-thirds of its legislator** In

such a scenario, **neither the members who decide to merge nor the ones who stay with the original party will face disqualification.**

- It exempts **the speaker, chairman, and deputy chairman** of various legislative houses from disqualification on the ground of defection.

### **Deciding authority:**

- The decision to disqualify a member under the anti-defection law is **taken by the presiding officer of the house. (Speaker or Chairman accordingly).**
- The law **does not specify a time period** for the Presiding Officer to **decide on a disqualification plea.**
- **The decisions of the Speaker or Chairman in anti-defection cases are subject to judicial review.**
- However, there **cannot be any judicial intervention until the Presiding Officer gives his order.**

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## **GRIEVANCE APPELLATE COMMITTEE (GAC) PORTAL: TO REPORT UNRESOLVED SOCIAL MEDIA COMPLAINTS GOES LIVE**



### **Why in News?**

- Marking a shift in how social media content is moderated in India, the Ministry of Electronics and Information Technology (MeitY) launched the **Grievance Appellate Committee (GAC) portal** under the IT Rules, 2021.
- This will allow people, who are dissatisfied with complaints to social media companies on content takedown requests, **to be heard by one of three Committees** constituted by the government.

### **What is the Background in which the Portal Launched?**



- The IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 were amended last year to require social media companies to respect the rights accorded to the citizens under the Indian Constitution (**Articles 14, 19 and 21**).
- The initial proposal had stemmed from users' complaints about being **de-platformed** or being removed from a social media site, without companies giving them an adequate avenue of hearing.
- **Three Committees were formed** to receive complaints to put these amendments into action.
- The IT Rules already require platforms to **have a process for accepting complaints against content** and appeals against takedowns from users.
- However, companies' decisions in response to these appeals, **will now ultimately be subject to the GACs' orders**.
- According to experts, this is a case of **substantive statutory provisions being formulated through the process of subordinate legislation** without any parliamentary debates.
- The MeitY has indicated that it is working on a "**Digital India Bill**" to give a firmer statutory backing to the IT Rules and other digital law making.

### **Why is the GAC Portal Launched and how will it Operate?**

- Looked over by 3 grievance appellate committees (GACs), the portal (gac.gov.in) is an **extension of the government's views, policies and vision** about creating easier ways of the grievance redressal of **Digital Nagrik**.
- Anyone aggrieved by a decision of the grievance officer (of a social media platform) will be allowed to **file an appeal** to the GAC within a period of **30 days**.
- The GAC will have to deal with the appeal and **resolve it within a month of the receipt** of the appeal.
- **The first panel**, which will look into complaints related to **national security**, will be chaired by the chief executive officer of the Indian Cyber Crime Coordination Centre under the Ministry of Home Affairs.
- **The second panel** will focus on complaints related to **fake news and misinformation** and will be chaired by the joint secretary in charge of the Policy and Administration Division in the Ministry of Information and Broadcasting.

- The **third panel** will be chaired by Kavita Bhatia, a senior scientist at the MeitY and will be responsible for handling complaints that **do not fall under the ambit** of the other two committees.
  - **GACs can also seek assistance** from people who may have adequate expertise and experience in a subject matter while dealing with users' appeals.
  - The GACs will adopt an “**online dispute resolution mechanism**” where the entire appeal process, from its filing to the final decision, will be done online.
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## RIGHT AGAINST SELF-INCRIMINATION

### Why in news?

- Earlier, a special CBI judge had granted CBI Sisodia's custody on the grounds that he had failed to provide satisfactory answers during investigation.
- The court had rejected Sisodia's arguments that he had a right against self-incrimination.

### What is an individual's right against self-incrimination?

#### • **Background:**

- The right against self-incrimination has its origins in Roman law, and evolved as a distinct right in the English jurisprudence.
- The Fifth Amendment in the United States Constitution says “No person shall be compelled in any criminal case to be a witness against himself”

#### • **Right against Self-incrimination in India**

- **Article 20(3)** in Part III (Fundamental Rights) of the Indian Constitution says, “No person accused of any offence shall be compelled to be a witness against himself”.
  - The right to be presumed innocent until proven guilty and the right to remain silent in an interrogation essentially flow from this constitutionally guaranteed right against self-incrimination.
  - This right also ensures that police cannot coerce anyone to confess to a crime, and obtain a conviction based on that confession.
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