

## PREVENTION OF MONEY LAUNDERING ACT AND SUPREME COURT

**SYLLABUS:** GS PAPER-II (GOVERNMENT POLICIES & INTERVENTIONS), GS PAPER-III (CAPITAL MARKET & MONEY LAUNDERING)

**CONTEXT:** In a recent hearing, the Supreme Court of India upheld the **constitutional validity of the Prevention of Money Laundering Act, 2002.**

The court underlined that the **principle of innocence of the accused/offender is regarded as a human right but that presumption can be interdicted by a law made by the Parliament/Legislature.**

### SUPREME COURT RULING

#### Enforcement Case Information Report (ECIR):

- It cannot be equated with a FIR.
- Supplying an ECIR in every case to the person concerned is not mandatory and **“it is enough if the Enforcement Directorate (ED), at the time of arrest, discloses the grounds of such arrest.”**
- The **ECIR is an internal document of the ED** and the fact that FIR in respect of scheduled offence has not been recorded, does not come in the way of ED authorities to commence inquiry/investigation.

#### Section 3 of PMLA Act:

- Section 3 of the PMLA Act 2002 has a wider reach and captures that offence of **money laundering is an independent offence** regarding the process or activity connected with the proceeds of crime which had been derived or obtained because of criminal activity relating to or in relation to a scheduled offence.
- The ruling also made it clear that:
- Offence under Section 3 **“is dependent on illegal gain of property as a result of criminal activity relating to a scheduled offence”**.
- The Authorities under the 2002 Act **cannot prosecute any person on notional basis or on the assumption** that a scheduled offence has been committed unless it is so registered with the jurisdictional police and pending enquiry including by way of criminal complaint before the competent forum.

#### Enforcement Directorate:

- The bench upheld the **ED’s power under Section 5 of the Act (order provisional attachment of any proceeds of crime).**
- The Court stated that Section 5 provides for a **balancing arrangement to secure the interests of the person** and ensures that the proceeds of crime remain available to be dealt with in the manner provided by the 2002 Act.
- **It rejected the argument that ED authorities are police officers** and, hence, a statement recorded by them under Section 50 of the Act would be hit by **Article 20(3) of the Constitution** which says **no person accused of an offence shall be compelled to be a witness against himself.**

## ABOUT PREVENTION OF MONEY LAUNDERING ACT (PMLA), 2002

- It is a **criminal law enacted to prevent money laundering and to provide for confiscation of property** derived from, or involved in, money-laundering and related matters.
- It forms the **core of the legal framework put in place by India to combat Money Laundering.**
- The provisions of this act are **applicable to all financial institutions, banks (Including RBI), mutual funds, insurance companies, and their financial intermediaries.**

## PMLA (AMENDMENT) ACT 2012

- Adds the concept of **'reporting entity'** which would include a **banking company, financial institution, intermediary etc.**
- PMLA, 2002 levied a **fine up to Rs 5 lakh**, but the amendment act has removed this upper limit.
- It has provided for **provisional attachment and confiscation of property of any person involved in such activities.**

## ABOUT ENFORCEMENT DIRECTORATE

- Directorate of Enforcement is a specialized **financial investigation agency under the Department of Revenue, Ministry of Finance.**
- In 1956, an **'Enforcement Unit'** was formed, in the **Department of Economic Affairs**, for handling Exchange Control Laws violations under **Foreign Exchange Regulation Act, 1947 (FERA '47).**
- **In 1957, this Unit was renamed as 'Enforcement Directorate'.**
- ED enforces the following laws:
  1. **Foreign Exchange Management Act, 1999 (FEMA)**
  2. **Prevention of Money Laundering Act, 2002 (PMLA)**

## AGRICULTURE CENSUS

**SYLLABUS:** GS PAPER-III (IRRIGATION, E-TECHNOLOGY IN THE AID OF FARMERS)

**CONTEXT:** Recently, the **Ministry of Agriculture & Farmers' Welfare** launched **"The Eleventh Agricultural Census (2021-22)."**

This computation will bring **huge benefits in a vast and agricultural country** like India.

## ABOUT AGRICULTURE CENSUS

- Agriculture Census is **conducted every 5 years**, which is being undertaken now after delay due to the Covid - 19 Pandemic.
- Entire Census operation is conducted in three phases and operational holding is taken as a statistical unit at micro level for data collection.
- Based on the agriculture census data collected in three phases, the **Department brings out three detailed reports analyzing trends on various parameters at All India and States/UTs level.**
- District/Tehsil level reports are prepared by the respective States/UTs.

- Agricultural Census is the main source of information on a variety of agricultural parameters at a minute level, such as **the number and area of operational holdings, their size, class-wise distribution, land use, tenancy and cropping pattern, etc.**

#### ELEVENTH CENSUS

- The field work of the agricultural census will start in **August 2022**.
- This is the first time that data collection for agricultural **census will be conducted on smartphones and tablets, so that data is available in time.**
- It includes:
  1. Use of digital land records like land title records and survey reports
  2. Collection of data through app/software using smartphone/tablet.
  3. Complete enumeration of all villages in states with non-land records during Phase-I as done in states having land records.
  4. Real time monitoring of progress and processing.
- Most of the States have **digitized their land records and surveys**, which will further accelerate the collection of agricultural census data.
- The use of digitized land records and the use of mobile apps for data collection will enable the **creation of a database of operational holdings in the country.**

#### ABOUT DIGITAL AGRICULTURE

- Digital Agriculture is **ICT (Information and Communication Technologies) and data ecosystems to support the development and delivery of timely, targeted information and services to make farming profitable and sustainable while delivering safe, nutritious, and affordable food for all.**
- Example: Agricultural biotechnology is a range of tools, including traditional breeding techniques, that alter living organisms, or parts of organisms, to make or modify products, improve plants or animals, or develop microorganisms for specific agricultural uses.
- **Benefits:**
  1. It allows **fine-tuning of inputs** and reduces demand for manual labor.
  2. **Remote satellite data and in-situ sensors** improve the accuracy and reduce the cost of monitoring crop growth and quality of land or water.
  3. Freely available and high-quality satellite imagery dramatically **reduces the cost of monitoring many agricultural activities**. This could allow governments to move towards more targeted policies which pay (or penalize) farmers based on observed environmental outcomes.
  4. These services offer the **potential to streamline agri-food supply chains**, while also providing **trusted information for consumers**.
  5. In addition to monitoring compliance with environmental policies, digital technologies enable **automation of administrative processes for agriculture and the development of expanded government services**, such as in relation to extension or advisory services.
  6. Using the technology, the data related to **a large number of landholdings can be appropriately tagged and digitized.**

## WORLD HEALTH ORGANIZATION (WHO)

**SYLLABUS:** GS PAPER-II (HEALTH)

**CONTEXT:** The World Health Organization has declared the global monkeypox outbreak a public health emergency of international concern (PHEIC), one step below that of a pandemic.

### ABOUT WORLD HEALTH ORGANIZATION

- At the **1945 United Nations Conference on International Organization (also known as the San Francisco Conference)**, **Szeming Sze**, a delegate from the Republic of China (modern-day Taiwan), proposed the creation of an international health organization under the auspices of the new United Nations. **Alger Hiss, the Secretary-General of the conference**, recommended using a declaration to establish such an organization.
- As a result of these proceedings, the **World Health Organization came to be established in 1948**. It became the first specialized agency of the United Nations to which every member subscribed.
- **Headquarter:** Geneva
- **Members:** 194 member countries.
- **Secretariat:** The Secretariat comprises of the Director-General and such technical and administrative staff as the Organization may require. The Director-General is appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine.
- Full membership of the WHO is only guaranteed with the ratifying of the treaty known as the Constitution of the World Health Organization.
- The member states of the WHO appoint delegates to the World Health Assembly, which is the supreme decision-making body. The World Health Assembly is attended by delegations from all Member States and determines the policies of the Organization.

### OBJECTIVES OF WHO

- The WHO Constitution states that the organization's objective **"is the attainment by all people of the highest possible level of health"**.
- The WHO fulfils this objective through the following functions:
  1. By playing a role as the directing and coordinating authority on international health work.
  2. Maintaining and establishing collaboration with the UN and any other appropriate bodies.
  3. Assisting governments, upon request, in strengthening their health services.
  4. Giving appropriate technical assistance and in case of emergencies, required aid upon the request or acceptance of governments.

### MEANING OF PHEIC DECLARATION

- A PHEIC is declared for an extraordinary event which is determined to constitute a public health risk to other States through the international spread of disease.
- The PHEIC label by WHO is designed to trigger a coordinated international response and could unlock funding to collaborate on sharing vaccines and treatments.

## PRELIMS FACTS

### CRAFT VILLAGE

- Under the programme “**Linking Textile with Tourism,**” eight craft villages have been taken up to promote craft and tourism at a single location.
- These villages are **Raghu Rajpur (Odisha), Tirupati (Andhra Pradesh), Vadaj (Gujarat), Naini (Uttar Pradesh), Anegundi (Karnataka), Mahabalipuram (Tamil Nadu), Taj Ganj (Uttar Pradesh), and Amer (Rajasthan).**
- **Aim:** It will develop handicrafts as a sustainable and remunerative livelihood option for artisans in the cluster.
- A Craft Village has been established **to bridge the gap between rural and urban communities.**
- The objective is to provide a platform for learning and sharing rare and exclusive crafts, which finally helps craftspeople and their communities.
- Through exclusive craft workshops, artisans get a chance to connect with consumers, industry, and patrons.

### PARYUSHAN PARV

- It is a Jain festival in which **Jain Monks and Nuns stay with the community and provide them instructions and guidance.** It is also a festival of “**Forgiveness.**”
- It is usually celebrated in **August or September (rainy season).**
- During Paryushan, Jains increase their **level of spiritual intensity often using fasting and prayer/meditation to help.**
- The five main vows are emphasized during this time **Ahimsa (Non-violence), Satya (Truth), Asteya (Non-stealing), Brahmacharya (Chastity), Aparigraha (Non-possession).**
- Pratikraman is also performed by many Jains during the festival. The word Pratikraman is made from the combination of two words, ‘Pra’ meaning return and ‘atikraman’ meaning violation.

### PURPLE REVOLUTION

- The **Aroma Mission**, popularly referred to as “**Lavender or Purple Revolution,**” has started from J&K and transformed the lives of farmers who are able to grow lavender, make lucrative profit and improve their lives.
- The Aroma Mission is envisaged to bring transformative change in the aroma sector through desired interventions in the areas of agriculture, processing, and product development for fueling the growth of aroma industry and rural employment.
- **Objectives:**
  1. To promote the cultivation of aromatic crops for essential oils.
  2. To enable Indian farmers and the aroma industry to become global leaders.
  3. To provide benefits to the farmers in achieving higher profits, utilization of waste lands and protection of their crops from wild and grazing animals.
  4. Provided employment to women farmers.

- **Nodal Agencies:** CSIR-Central Institute of Medicinal and Aromatic Plants (CSIR-CIMAP), Lucknow.
- Aromatic Plants include **Lavender, Damask rose, Mushk Bala, etc.**

### **MUNSHI PREMCHAND**

- Munshi Premchand, Hindustani literature (Upanyas Samrat) and Indian writer (novel writer, story writer, and dramatist), was born in the year 1880 on the **31st of July in the Lamhi village (near Varanasi)**.
- He is a famous writer of the early 20th century. He died on the 8th of October in 1936 after serving people his great writings.
- Premchand was the first Hindi author whose **writings prominently featured realism, depicting rationalistic outlook.**
- His work arouses the public awareness about various social issues. His works often depict the menace of corruption, child widowhood, prostitution, feudal system, poverty, colonialism, and freedom struggle. His novels describe the problems of the poor and the urban middle-class.
- **Godaan (1936)** was Munshi Premchand's last completed work and is accepted as his best novel.