



RACE IAS

Current Affairs

31 December 2022

Jan Vishwas (Amendment of Provisions) Bill 2022

Context:

- Recently, the Union Government tabled the Jan Vishwas (Amendment of Provisions) Bill, 2022 in Parliament.

Details:

- The objective is to “decriminalize” 183 offences across 42 legislations and enhance the ease of living and doing business in India.
- Some Acts that are amended by the Bill include:
 - Indian Post Office Act, 1898,
 - Environment (Protection) Act, 1986,
 - Public Liability Insurance Act, 1991,
 - Information Technology Act, 2000.

Highlights of the Bill:

Decriminalizing a number of offences:

- The Bill reduces the number of offences that carry a jail sentence under some Acts to those that merely carry a fine.
- For instance:
 - The Agricultural Produce (Grading and Marking) Act, 1937, states that forging grade designation markings is punishable by up to three years in prison and a five thousand rupees fine. According to the 1937 Act, a grade designation mark designates an item’s quality.
 - The Bill proposes to replace this with an eight lakh rupee fine.
 - According to the Information Technology Act of 2000, revealing personal information in violation of a valid contract is punishable by a maximum three-year prison sentence, a maximum five-lakh rupee fine, or both.
 - The Bill substitutes a penalty of up to 25 lakh rupees for this.
- By imposing a penalty rather than a fine, several Acts have decriminalised specific offences.

- For instance, a violation of the Patents Act, 1970 could result in a punishment of up to one lakh rupees for someone who misrepresents an item as being patented in India.
 - The Bill replaces the fine with a penalty, which may be up to ten lakh rupees. In case of a continuing claim, there shall be an additional penalty of one thousand rupees per day.

Revision of Fines and Penalties:

- The Bill raises the fines and penalties for a number of offences under the relevant Acts, and every three years, these fines and penalties would rise by 10% of the minimum amount.

Appointing Adjudicating Officers:

- The central government may choose one or more adjudicating officers to decide on the appropriate sanctions, in accordance with the Bill.
- The adjudicating officers have the authority to
 - summon individuals for evidence,
 - conduct inquiries into violations of the respected Acts.

Appellate Mechanisms:

- The Bill also outlines the appeals processes for anyone who feels aggrieved by an adjudicating officer's decision.
- For instance, The National Green Tribunal will accept appeals within 60 days of the order under the Environment (Protection) Act of 1986.

Why has the Bill been Introduced?

- Legal scholars have been worried about the unprincipled expansion of criminal law for many years.
- Nearly 3.2 crore of the 4.3 crore cases that are still waiting, according to the National Judicial Data Grid, are connected to criminal procedures.
- Criminalization frequently becomes a weapon for governments to present a powerful image rather than being used to punish wrongdoing.
- Governments don't provide many arguments for such decisions. Scholars have referred to this issue as "overcriminalization."
- According to the National Crime Records Bureau's 2021 Prison Statistics, 5.54 lakh prisoners were housed in jails, compared to a 4.25 lakh capacity.

Ukraine Peace Formula

Context:

- Recently, the Prime Minister of India spoke to the Ukrainian President to discuss India's ongoing G-20 Presidency, and Ukraine's "10-point Peace Plan".

Ukraine's 10-Point Peace Plan:

- Radiation and nuclear safety, focusing on restoring safety around Europe's largest nuclear power plant, Zaporizhzhia in Ukraine, which is now-Russian occupied.

- Food security, including protecting and ensuring Ukraine's grain exports to the world's poorest nations.
- Energy security, with focus on price restrictions on Russian energy resources, as well as aiding Ukraine with restoring its power infrastructure, half of which has been damaged by Russian attacks.
- Release of all prisoners and deportees, including war prisoners and children deported to Russia.
- Restoring Ukraine's territorial integrity and Russia reaffirming it according to the United Nations Charter.
- Withdrawal of Russian troops and cessation of hostilities, restoration of Ukraine's state borders with Russia.
- Justice, including the establishment of a special tribunal to prosecute Russian war crimes.
- Protection of environment with focus on demining and restoring water treatment facilities.
- Prevention of escalation of conflict, and building security architecture in the Euro-Atlantic space, including guarantees for Ukraine.
- Confirmation of the war's end, including a document signed by the involved parties.

Global Reaction to the Peace Formula:

- Russia rejected Ukraine's peace proposal and reaffirmed that it would not cede any of the area it had seized by coercion, which amounts to around a fifth of Ukraine.
- With Washington at the helm, the Western world has poured billions of dollars into Ukraine's military assistance, and nations have hastened to assist Kyiv with demining and repairing its power infrastructure.
- However, reactions to Ukraine's proposed peace meeting and peace plan have been more cautious.
- According to the G7 leaders, establishing peace in Ukraine "in accordance with its rights enshrined in the U.N. Charter" was a priority.

Remote Electronic Voting Machine

Context:

- The Election Commission of India said that it has developed a prototype for a Multi-Constituency Remote Electronic Voting Machine (EVM) which would enable remote voting by migrant voters.

Electronic Voting Machine (EVM):

- Electronic voting is the standard means of conducting elections using Electronic Voting Machines (EVMs) in India.
- The government-owned Electronics Corporation of India and Bharat Electronics designed and tested the technology in the 1990s.
- They were gradually incorporated into Indian elections between 1998 and 2001.

What are Remote EVMs?

- Multiple constituencies can be handled by a single remote polling booth using remote electronic voting machines (RVMs).
- Voter portability will be used as a pilot project in nine states' upcoming 2023 Assembly elections.
- Voter portability could therefore be fully introduced in the general elections of 2024 if the pilot is a success.

What is the current proposal for remote voting?

- Working with the Electronics Corporation of India, a company under the Department of Atomic Energy, the EC has come up with a prototype Remote Voting Machine (RVM), which is a modified version of the existing Electronic Voting Machine (EVM).
- The RVM will be able to handle 72 constituencies in a single remote polling booth.
- The special remote polling booths would be set up in different states when elections are on in the home state of migrants.
- The EC proposed using this in a State Assembly election as a pilot so internal migrants within a state can cast their ballots.
- The remote voter will have to pre-register for the facility by applying online or offline with the Returning Officer of the home constituency.
- The special polling stations would then be set up in the places of current residence of the remote voters.
- The RVM is a standalone and non-networked system.
- Instead of a paper ballot sheet, the RVM would have a dynamic ballot display that can change with the selection of different constituencies.
- The system would have a device similar to the VVPAT so voters can verify their votes.
- The units will save the number of votes for each candidate for each of the constituencies, to be tallied on counting day. The results would then be shared with the home RO.

How will the EC keep the process secure?

- According to the EC, the RVM, like the EVM, would not be connected to the internet.
- The RO in the remote location will load the symbols of candidates into the unit using a laptop.
- These laptops, would not be connected to the internet.
- Representatives of political parties and candidates would be invited to be present when the symbols are loaded onto the unit.
- The symbols would be visible on a display unit for all to see.

Why do we need Remote voting?

- For a variety of reasons, registered voters don't actually vote at all. In the context of India, domestic migration is one of the main causes of this.

- There were about 45.36 crore migrants in India as per the 2011 census (the figure will have increased since then) (both intra and inter-state).
 - It makes up about 37% of the nation's population. Marriage, natural disasters, work, and a host of other factors can all be factors in migration.
- This indicates that a sizable portion of the population is denied their franchise because of the demands of their jobs or a lack of resources for travel. This blatantly contradicts the EC's mission of "No voter left behind."
- The idea behind Remote voting is to ensure these migrant voters participate in the electoral process.

Challenges for RVMs:

- Defining domestic migrants
- Implementation of Model Code of Conduct
- Ensuring secrecy of voting
- Facility of polling agents for identification of voters
- Process and method of remote voting and
- Counting of votes

Employees Pension Scheme (EPS)

Context:

- Nearly two months after the Supreme Court's judgment on the Employees' Pension (Amendment) Scheme of 2014, the Employees' Provident Fund Organisation (EPFO) has given an opportunity to a section of pensioners to apply for enhanced pension.

Criteria for pension:

- Such persons were those who had, prior to their retirement, contributed on higher wages — contributions on salary exceeding the ceiling of ₹5,000 or ₹6,500; exercised the option along with their employers under clause 11(3) of the Employees Pension Scheme of 1995 and whose applications were rejected by the authorities.
- In respect of those whose contribution on higher salary was returned or diverted back to Provident Fund accounts, they had also been given an opportunity.
- The pensioners concerned would have to apply online through the EPFO website for getting their option validated.

About Employees Pension Scheme (EPS):

- It is a social security scheme that was launched in 1995. It offers pension on disablement, widow pension, and pension for nominees.
- The scheme, provided by EPFO, makes provisions for pensions for the employees in the organized sector after the retirement at the age of 58 years.

Main features:

- Employees who are members of EPF automatically become members of EPS.

- Both employer and employee contribute 12% of employee's monthly salary (basic wages plus dearness allowance) to the Employees' Provident Fund (EPF) scheme.
- EPF scheme is mandatory for employees who draw a basic wage of Rs. 15,000 per month.
- Of the employer's share of 12 %, 8.33 % is diverted towards the EPS.
- Central Govt. also contributes 1.16% of employees' monthly salary.
- Maximum service for the calculation of service is 35 years.
- No pensioner can receive more than one EPF Pension.

EPS (Amendment) Scheme, 2014:

- The EPS amendment of 2014, had raised the pensionable salary cap to Rs 15,000 a month from Rs 6,500 a month, and allowed only existing members (as on September 1, 2014) along with their employers exercise the option to contribute 8.33% on their actual salaries (if it exceeded the cap) towards the pension fund. This was extendable by another six months at the discretion of the Regional Provident Fund Commissioner.
- It, however, excluded new members who earned above 15,000 and joined after September 2014 from the scheme completely.
- The amendment, however, required such members to contribute an additional 1.16% of their salary exceeding ₹ 15,000 a month towards the pension fund.

SC's Judgement:

- Under Article 142, the Supreme Court ruling gives EPFO members, who have availed of the EPS, another opportunity over the next four months to opt and contribute up to 8.33% of their actual salaries as against 8.33% of the pensionable salary capped at Rs 15,000 a month towards pension.
- Under the pre-amendment scheme, the pensionable salary was computed as the average of the salary drawn during the 12 months prior to exit from membership of the Pension Fund. The amendments raised this to an average of 60 months prior to exit from the membership of the Pension Fund.
- The court held the amendment requiring members to contribute an additional 1.16 % of their salary exceeding Rs 15,000 a month as ultra vires the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

About Employees' Provident Fund Organisation (EPFO):

Nodal: Ministry of Labour & Employment

- It is a government organization that manages provident fund and pension accounts of member employees and implements the Employees' Provident Fund and Miscellaneous Provisions Act, 1952.
- The Employees' Provident Fund and Miscellaneous Provisions Act, 1952 provides for the institution of provident funds for employees in factories and other establishments.

- It is one of the World's largest Social Security Organisations in terms of clientele and the volume of financial transactions undertaken

Vibrant Village Programme

Context:

- Union Home Minister said that borders can be permanently secured only when border villages are populated by patriotic citizens who are concerned for the country, asking the border-guarding forces to use the Vibrant Village Programme (VVP) for the same.
- Relevance:
- GS III- Indian Economy (Infrastructure)
- Dimensions of the Article:
- About Vibrant Village Programme
- Need of such scheme

About Vibrant Village Programme:

- The program's goal is to enhance infrastructure in villages along India's China border.
- In states like Uttarakhand, Himachal Pradesh, and Arunachal Pradesh, infrastructure will be enhanced.
- Residential and tourism centres will be built as part of the programme.
- It will also facilitate the development of decentralised renewable energy sources and increase road connectivity.
- Aside from that, there will be direct access to Doordarshan and educational channels. A source of income will be offered.
- Focus areas
- It emphasises the generation of livelihoods, road connectivity, housing, rural infrastructure, renewable energy, television, and broadband connections.
- This goal will be achieved by improving infrastructure in villages near the Line of Actual Control (LAC).

Need of such scheme:

- The programme is a rebuke to China's model villages, but the term was picked with care to avoid causing a stir in the neighbouring country.
- In recent years, China has created new communities along the LAC, mainly across the Arunachal Pradesh border.
- Villages on the Indian side of the border have undergone unprecedented out-migration while China has been placing new citizens in border areas.