



---

## Pension Hike for Freedom Fighters, Emergency Sufferers & Matribhasha Satyagrahis | Haryana | 26 Jun 2024

### Why in News?

Recently, Haryana Chief Minister announced a significant increase in the **monthly pension** for [freedom fighters](#), their dependents, **Emergency "sufferers"**, and **Matribhasha Satyagrahis**.

- The new pension rates **will be applicable with effect from 1<sup>st</sup> July, 2024**.

### Key Points

- The pension of freedom fighters and their dependents has been **increased from Rs 25,000 to Rs 40,000**.
- The pension of Emergency "sufferers" and the **Matribhasha Satyagrahis** has been **increased to Rs 20,000**.
- The chief minister **honored the freedom fighters for their countless sacrifices for the country's freedom**, and also paid tribute to the '[satyagrahis](#)' who fought during the **Emergency to uphold the spirit of the [Constitution](#) and restore [democracy](#)**.

### Matribhasha Satyagrahis

- In **1957**, a number of people from **Hindi-speaking parts of erstwhile Punjab** launched a **crusade for the honour, promotion and implementation of their mother tongue**. They are known as '**Matribhasha Satyagrahis**'.

### National Emergency

- The national emergency was set in motion under **Article 352 on June 25, 1975** on the grounds of '**internal disturbance**' and was in **place for 21 months** till its **withdrawal on March 21, 1977**. Threat to national security and bad economic conditions were cited as reasons for the declaration.
  - The order gave the central government the authority to rule by decree wherein **civil liberties were curbed**.
  - An **external Emergency** was already in place **at the time of proclamation of national emergency**.

### Swatantrata Sainik Samman Yojana (SSSY)

- The scheme provides for a **monthly Samman Pension to freedom fighters**, as a token of respect for their contribution in the national freedom struggle.
  - On their demise, **pension is provided to their eligible dependents viz. spouses and thereafter, unmarried and unemployed daughters** and dependent parents, as per prescribed eligibility norms and procedure.
  - It is implemented by the **Ministry of Home Affairs (Freedom Fighters Division)**.
  - There are 23,566 beneficiaries across the country covered under this scheme.
-

---

# Awareness Programs on New Criminal Laws | Haryana | 26 Jun 2024

## Why in News?

Recently, Haryana Chief Secretary announced that **awareness campaigns** are scheduled to take place in **all 378 police stations and prisons** in the state on **1<sup>st</sup> July, 2024**.

- These programs intend to inform the public about the three new Criminal Laws: [Bharatiya Nyaya Sanhita 2023](#), [Bharatiya Nagrik Suraksha Sanhita 2023](#), and [Bharatiya Sakshya Adhiniyam 2023](#).

## Key Points

- The Chief Secretary emphasized the measures taken for the successful implementation of these laws.
  - Around 40,000 police personnel, including Investigating Officers (IOs), have undergone **training at various State training centers**.
  - **300 Judicial Officers from Haryana** have been **trained on the updated Criminal Laws** at the Chandigarh Judicial Academy.
  - An **online training** initiative was conducted for **IAS and HCS Officers** by the [Haryana Institute of Public Administration \(HIPA\), Gurugram](#), with the purpose of acquainting officers with the details of the new legislation.
- Every prison in the state is **furnished with sufficient technological tools**, including approximately 300 computers.
  - To facilitate virtual court hearings, 149 **video conferencing setups** have been put in place in jails and court buildings, and an additional 178 systems will be acquired.
  - All Jail Superintendents in the State have been directed to initiate a targeted **awareness campaign for inmates, their families, visitors, and prison personnel on the new Criminal Laws**.
  - **Handy booklets illustrating the latest sections and procedures under these laws** have been produced for distribution among employees in the field.

//

# BHARATIYA NYAYA SANHITA (BNS), 2023

**BNS 2023 replaced Indian Penal Code 1860, incorporating 358 sections (511 in IPC), maintaining most of the IPC provisions, introducing new offences, eliminating court- struck-down offences, and enhancing penalties for various offences.**

## New Offences

- **Promise to Marry:** Criminalising “deceitful” promises to marry
- **Mob Lynching:** Codify offences linked to mob lynching and hate-crime murders
- Ordinary criminal law now covers **Organized Crime** and **Terrorism**, including a broader scope for terror financing in BNS compared to UAPA
- **Attempt to Suicide:** Criminalises attempts to commit suicide with intent to compel or restrain any public servant from discharging official duty
- **Community Service:** Added as possible form of punishment

## Deletions

- **Unnatural Sexual Offences:** Section 377 of the IPC, which criminalised homosexuality among other “unnatural” sexual activities repealed completely
- **Adultery:** Offence of adultery omitted in consonance of apex court judgement
- **Thugs:** Section 310 of IPC fully omitted
- **Gender Neutrality:** Some laws dealing with children modified to bring gender neutrality

## Other Modifications

- **Fake News:** Criminalisation of publishing false and misleading information
- **Sedition:** Introduced under a new name ‘deshdroh’ with wider definition
- **Mandatory Minimum Sentence:** In several provisions, mandatory minimum sentences prescribed which may limit scope for judicial discretion
- **Damage to Public Property:** Carry a graded fine (i.e. fine corresponding to the amount of damage caused)
- **Death by Negligence:** Elevates punishment for causing death by negligence from two to five years (for doctors - 2 yrs imprisonment)

## Key Issues

- **Criminal Responsibility Age Discrepancy:** Criminal responsibility starts at seven, extendable to 12 based on maturity, potentially conflicting with global recommendations
- **Inconsistencies in Child Offense Definitions:** It sets child age below 18, but age criteria for offenses like rape differ, causing inconsistency
- **Retention of IPC Provisions on Rape and Sexual Harassment:** Maintains IPC provisions on rape and sexual harassment, omitting **Justice Verma Committee's 2013** suggestions for gender-neutral rape and recognizing marital rape as an offense.



# BHARATIYA NAGARIK SURAKSHA SANHITA (BNSS), 2023

BNSS replaces CrPC 1973 and consists of 531 sections with 177 sections revised, 9 new sections added, and 14 sections repealed.



## Key Provisions

- ↘ **Hierarchy of Courts:** Eliminated distinction and role of Metropolitan Magistrates
- ↘ **Mandated Use of Electronic Mode:** At stages of investigation, inquiry, and trial
- ↘ **Detention of Undertrials:** Restriction on release on personal bond for accused persons (a) charged with life imprisonment or (b) facing multiple proceedings
- ↘ **Alternative to Arrest:** An accused doesn't have to be arrested; instead, the police can take a security bond for their appearance before a Judicial Magistrate
- ↘ **Community Service Defined:** 'Work which the Court may order a convict to perform as a form of punishment that benefits the community, for which he shall not be entitled to any remuneration'
- ↘ **Substitution of Terminology:** "Mental illness" replaced by "unsoundness of mind" in majority of provisions
- ↘ **Documentation Protocols:** Searches with/without warrants require mandatory audio-video documentation with recorded material promptly submitted to Magistrate
- ↘ **Timelines for Procedures:** Prescribes timelines for various procedures
  - E.g. Issuing verdict within 30 days post-argument
- ↘ **Medical Examination:** Can be requested by any police officer in certain cases
- ↘ **Sample Collection:** Magistrate can compel individuals to submit signature specimens, handwriting samples etc. even if they haven't been arrested
- ↘ **Forensic Investigation:** Mandated for offences punishable with  $\geq 7$  years of imprisonment
- ↘ **New Procedures w.r.t. FIR Registration:**
  - After filing a **Zero FIR**, relevant police station must transfer it to the jurisdictionally appropriate station for further investigation
  - **FIRs can be electronically registered**, and the information will be officially recorded upon the person's signature within 3 days
- ↘ **Rights of Victim/Informant:**
  - Police after filing charge sheet obligated to supply police report and other documents to victim
  - Witness protection scheme to be laid down by State Governments



## Key Issues

- ↘ **Permitted 15 days of police custody** within initial 40 or 60 days
- ↘ **Doesn't mandate investigating officer to provide reasons** when seeking police custody
- ↘ **Allows use of handcuffs during arrests**, contradicting SC rulings and NHRC guidelines
- ↘ Scope of **mandatory bail limited** in case of multiple charges
- ↘ **Limits plea bargaining in India** to sentence bargaining
- ↘ Restricting bail, and limiting scope for plea bargaining could **deter decongesting of prisons**
- ↘ **Power to seize property expanded** to immovable property apart from movable property
- ↘ Several provisions **overlap** with existing laws
- ↘ **BNSS retains CrPC provisions** related to public order, raising the question of whether laws governing trial procedure and public order maintenance should be unified or treated separately, considering their distinct functions



Drishti IAS