



CBI Need Written Consent to Investigate in Madhya Pradesh | Madhya Pradesh | 20 Jul 2024

Why in News?

According to the **Madhya Pradesh government**, the [Central Bureau of Investigation \(CBI\)](#) will need a **written permission** to initiate inquiries **against its “public servants”**.

Key Points

- **No permission** will be required to probe **central government officials or private individuals**.
- This provision has been released after the [Bharatiya Nyaya Sanhitha](#) (new criminal laws) came into effect for smooth functioning.
 - States such as **West Bengal, Tamil Nadu, Punjab, Telangana and Kerala have withdrawn their general consent** for CBI investigations.

Central Bureau of Investigation (CBI)

- The CBI was **established by a resolution of the Ministry of Home Affairs and later transferred to the Ministry of Personnel, Public Grievances and Pensions**, currently functioning as an attached office.
- Its establishment was **recommended by the [Santhanam Committee](#)** on Prevention of Corruption.
- The CBI operates under the [Delhi Special Police Establishment \(DSPF\) Act, 1946](#). It is **neither a constitutional nor a statutory body**.
- It investigates **cases related to bribery, governmental corruption, breaches of central laws, multi-state organized crime, and multi-agency** or international cases.

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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Sexual Offences:** Section 377 of the IPC, which criminalised homosexuality among other "unnatural" sexual activities repealed completely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



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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.

Strict Laws Against Using Char Dham Names | Uttarakhand | 20 Jul 2024

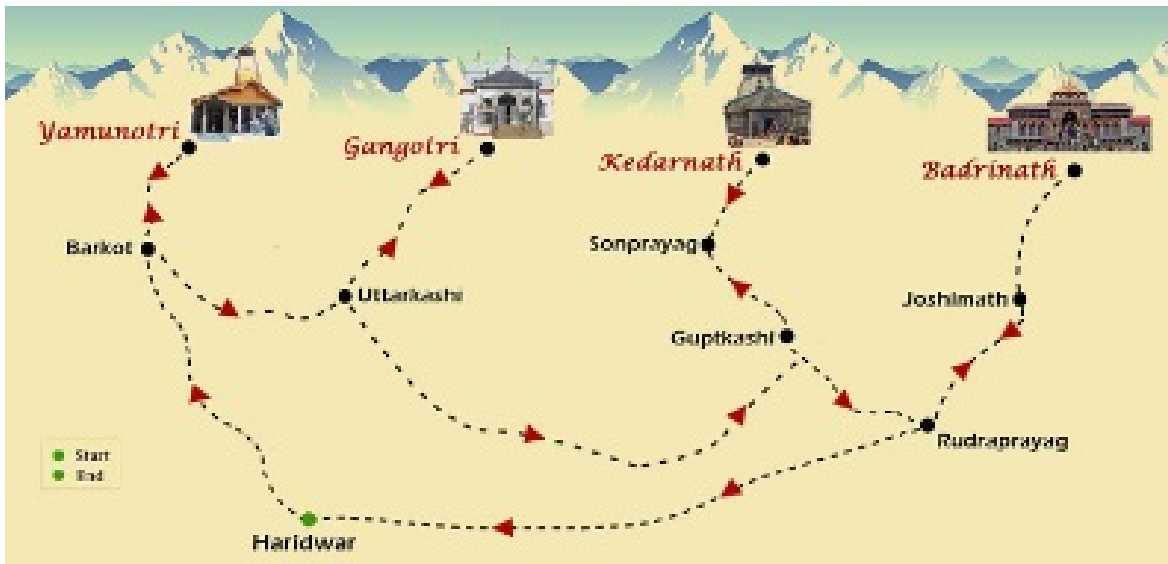
Why in News?

Recently, The **Uttarakhand Cabinet** decided to **implement strict laws against** organisations or trusts using names of [Char Dham temples](#) of the State.

Key Points

- According to the officials, such trusts and organisations **create confusion among the general public**, and also **hurt local traditions and religious beliefs**.
- The Char Dham temples' priest association also launched a protest against laying the foundation stone for the replica of [Kedarnath temple](#) in Delhi.

Char Dham



▪ Yamunotri Dham:

- **Location:** Uttarkashi district.
- **Dedicated to:** Goddess Yamuna.
- River Yamuna is the second-most sacred river in India after River Ganga.

▪ Gangotri Dham:

- **Location:** Uttarkashi district.
- **Dedicated to:** Goddess Ganga.
- Considered the most sacred of all Indian rivers.

▪ Kedarnath Dham:

- **Location:** Rudraprayag district.
- **Dedicated to:** Lord Shiva.
- Situated on the bank of the Mandakini River.
- One of the 12 Jyotirlingas (divine representations of Lord Shiva) in India.

▪ Badrinath Dham:

- **Location:** Chamoli district.
- Home to the sacred Badrinarayan Temple.
- **Dedicated to:** Lord Vishnu.
- One of the holy shrines for Vaishnavites.

Hydel Project at Joshimath | Uttarakhand | 20 Jul 2024

Why in News?

Recently, The [National Disaster Management Authority \(NDMA\)](#) stated that it has no objection allowing [NTPC \(National Thermal Power Corporation\)](#) to resume construction work at the [Tapovan-Vishnugad hydroelectric project site](#).

Key Points

- On 5th January, 2023 the state government had issued an order, **halting all works at the NTPC's Tapovan-Vishnugad project after the issue of land subsidence** worsened in [Joshimath](#).
 - NDMA formed a group of multi-institutional expert organizations, including the **Central**

Building Research Institute, [National Geophysical Research Institute](#), [Geological Survey of India](#), [Wadia Institute of Himalayan Geology](#), and [IIT-Roorkee](#), among others.

- In its report to the High Court, NDMA also stated that experts have listed many reasons for the land subsidence, the most common being that the **natural water flowing from Auli to Joshimath was interrupted due to unregulated construction in Joshimath town.**

National Thermal Power Corporation (NTPC)

- It is a **central Public Sector Undertaking (PSU)** under the Ministry of Power.
- It is **India's largest energy conglomerate** with roots planted way back in **1975 to accelerate power development in India.**
- It aims to **provide reliable power and related solutions in an economical, efficient and environment-friendly manner**, driven by innovation and agility.
- It became a **Maharatna company in May 2010.**

The National Disaster Management Authority (NDMA)

- It is India's **apex statutory body for disaster management.**
- It was **formally constituted on 27th September 2006**, by the [Disaster Management Act, 2005](#).
 - The **Prime Minister is its chairperson** and it has nine other members. One of the **nine members is designated as Vice-Chairperson.**
- The primary responsibility for the management of disaster rests with the State Government concerned.
 - However, the National Policy on Disaster Management puts in place an enabling environment for all i.e., the Centre, state and district.

PDF Reference URL: <https://www.drishtiias.com/statepcs/20-07-2024/print>

