

Open Prisons in India

For Prelims: Open Prisons, <u>Supreme Court of India</u>, <u>National Human Rights Commission</u>, Types of Prisons in India

For Mains: Open Prisons Concept and Features, Impact of Open Prisons on Prison Overcrowding, Indian Prisons and Related Issues.

Source: TH

Why in News?

The <u>Supreme Court (SC) of India</u> has recently directed several states and <u>Union Territories</u> (UTs) to provide comprehensive details regarding the **functioning of open prisons** within their jurisdictions.

This directive comes in the wake of ongoing concerns about <u>prison congestion</u>, a matter that has drawn the Court's attention.

Why is the Supreme Court Focused on Open Prisons?

- Prison Overcrowding: The SC sees open prisons as a potential solution to address the chronic issue of overcrowding in traditional prisons.
 - The concept aims to **reduce the psychological stress** that convicts face when reintegrating into normal life after incarceration.
 - By shifting some prisoners to open-air facilities, the overall population in high-security, closed prisons is reduced. This redistribution of inmates alleviates the pressure on conventional jails, which often face severe overcrowding.
- SC's Role in Ensuring Compliance: By emphasizing the need for comprehensive information on the functioning of open prisons, the Supreme Court aims to ensure that states and UTs are actively implementing this model as part of their correctional systems.
 - The Court's focus also reflects its broader mandate to oversee the protection of prisoners' rights and promote more effective prison management.

What are Open Prisons?

- About: Semi-open or open prisons (jails) are correctional facilities designed without the traditional high walls, barbed wire, and armed guards. Instead, they rely on inmate selfdiscipline and community engagement. Unlike traditional closed jails.
 - Open jails, based on the <u>reformative theory of justice</u>, focus on <u>rehabilitating</u> inmates rather than solely punishing them. This approach emphasizes transforming prisoners into law-abiding citizens through self-discipline and community integration.
- Historical Context: The first open prison in India, established in 1905 in the Bombay
 Presidency, initially used prisoners as unpaid labour for public works.
 - Over time, the concept evolved, emphasising reformation over deterrence. Post-independence, the first open prison annexe was set up in Lucknow in 1949, leading to a full-fledged facility in 1953, where inmates helped build the

- Chandraprabha dam.
- Post-independence, Constitutional Court rulings addressing inhumane prison conditions prompted a shift in prison management, emphasising reform and rehabilitation.
 - Courts urged states to **ensure fair wages and support reintegration, leading to the rise of open prisons** as a reformative approach.
- **Features:** Inmates have the freedom to **leave the prison during certain hours** and are expected to support themselves and their families through work.
 - Rajasthan Open Air Camp Rules, 1972 defines open prisons as "prisons without walls, bars, and locks." Inmates must return before the second roll call after leaving the prison.
- Types of Open Prisons: The Model Prison Manual classifies open prison institutions in India into three types:
 - Semi-Open Training Institutions: Attached to closed prisons with moderate security.
 - Open Training Institutions/Work Camps: Focus on public works and vocational training.
 - Open Colonies: Allow family members to live with inmates, with opportunities for employment and self-sufficiency.
- **Eligibility:** Every state law defines the eligibility criteria of inmates who can be in an open prison.
 - The principal rule is that an inmate eligible for open air prison has to be a
 convict. Good conduct in prison and at least five years spent in a controlled jail are
 the rules followed by the Rajasthan open prisons.
 - In West Bengal, a committee of jail and police officials selects prisoners with a good conduct record for transfer to open jails.
- Legal Framework: Prisons and prisoners are mentioned in Entry No. 4 of List II (State List) of the 7th Schedule of the Constitution of India, making them a State subject.
 - Prisons in India are governed by the Prisons Act, 1894, and Prisoners Act,
 1900 and each state follows their prison rules and manuals.
- International Perspective: Open prisons have been part of global correctional systems for centuries. Early examples include Switzerland's Witzwill (1891) and the UK's New Hall Camp (1936).
 - The <u>UN General Assembly's Nelson Mandela Rules 2015</u> advocate for open prison systems to aid rehabilitation, emphasising prisoner rights to employment and outside contact
- Recommendations: The Supreme Court, in the Rama Murthy v. State of Karnataka case 1996, endorsed the expansion of open jails. Various committees, including the All India Prison Reforms Committee in 1980, have recommended the establishment of open prisons across states.
 - The <u>National Human Rights Commission (NHRC)</u> advocated the need for open prisons and how they could solve prison overcrowding in several of its annual reports from 1994-95 and 2000-01.

What are the Pros and Cons of Open Prisons?

Category	Pros	Cons
Cost Efficiency	Reduces operational	Open prisons are lacking modernisation and
	costs drastically compared to	funds are insufficient.
	closed jails.	
Overcrowding	Helps in reducing	Underutilisation of existing open jails due to
	overcrowding in closed jails.	poor awareness and acceptability.
Psychological	Improves psychological and	Some prisoners become dependent on the
Impact	mental health of prisoners.	open prison environment, resisting vacating
		their premises even after completing their
		sentence.
Staffing	Requires 90% fewer staff	Difficulty in reallocating staff from closed
	compared to closed prisons.	jails to open jails due to staff shortages in
		closed facilities.
Rehabilitation	Promotes reformative	Lack of modern laws and outdated
	punishment and successful	legislation (The Prisoners Act of 1894) and there
	integration into society.	are no provisions for <u>under-trial prisoners</u> in

		many open prisons. As prisons are a State subject, there is a lack of uniformity in rules and guidelines for open prisons.
Recidivism	Lesser chances of recidivism.	Some critics argue that it does not significantly prevent recidivism.
Employment	Encourages prisoners to find employment.	Difficulty in finding local employment due to the remote locations of many open jails.
Socialisation	Increases socialisation and interaction with the outside world.	No open jails for female prisoners in many states.
Reformative Potential	Reminiscent of Gandhian Ashrams with a focus on moral development and cooperative living.	Selection process for prisoners is sometimes opaque, leading to allegations of bias and corruption.
Community Impact	Benefits all participants, including survivors of crimes who see transformation in perpetrators.	Security and discipline challenges may still be present, and some view the system as too lenient.

Other Types of Prisons in India

- In India, there are three levels of prisons: Taluka, district, and central (zonal/range) level. The jails at these levels are known as sub-jails, district jails, and central jails, respectively.
 - There are also other types of jails, such as women's jails, Borstal schools, open jails, and special jails.
- **Central Jail:** The criteria for central jails vary across states, but they typically house prisoners sentenced to long-term imprisonment, often more than two years, including lifers and those who have committed heinous crimes.
 - The focus in these jails is on re-establishing the morality and integrity of the prisoners.
- District Jail: District jails are the main jails for those states and union territories where there is no central jail.
- **Sub Jail:** Smaller than district jails, serving at the sub-divisional level with well-organised and better-set-up prisons.
- Special Jail: These jails are maximum security prisons with special arrangements for prisoners
 of particular classes, such as those convicted of terrorism, violent crimes, habitual
 offenders, and serious prison discipline violations. They are known for housing violent and
 aggressive inmates.
- Women's Jails: These jails are exclusively for female prisoners, established to ensure their safety and staffed by women. According to the 2022 Prison Statistics from the National Crime Records Bureau (NCRB), out of India's 1,330 prisons, only 34 are designated as women's jails.
 - Due to their limited capacity, many female prisoners are confined in other types of jails.
- Borstal School: It is a type of youth detention centre and is used exclusively for the confinement of minors or juveniles.
 - The primary objective of these schools are to ensure care, welfare and rehabilitation
 of young offenders in an environment which is suitable for children and keep them away
 from the infecting atmosphere of the prison.
- **Other Jails:** Jails which do not fall under the above mentioned categories then these jails come under the category of other jails. Only three states have other jails.
 - The name of these states is **Karnataka**, **Kerala and Maharashtra** and each state has one other iail.

Drishti Mains Question:

Q. Discuss the role of open prisons in the Indian prison system. How do they address issues of prison

UPSC Civil Services Examination, Previous Year Question (PYQ)

Mains

Q. Instances of the President's delay in commuting death sentences has come under public debate as denial of justice. Should there be a time specified for the President to accept/reject such petitions? Analyse. **(2014)**

OPEC+ Plans Production Cuts

For Prelims: Organization of the Petroleum Exporting Countries, OPEC+, Renewable energy

For Mains: Challenges Related to India's Energy Sector, Initiatives Shaping India's Energy Transition

Source: TH

Why in News?

The recent announcement of <u>Organization of the Petroleum Exporting Countries (OPEC)+</u> countries to **cut oil production** has raised concerns regarding global oil markets and India's energy security.

With India's fuel consumption which is around 4.8 million barrels per day in 2024 is expected to reach 6.6 million barrels per day by 2028, these cuts may push Indian refiners to source more crude from the Americas, highlighting shifts in global oil trade.

ne Vision

What is the Organization of the Petroleum Exporting Countries (OPEC)?

- About:
 - The Organization of the Petroleum Exporting Countries (OPEC) is a permanent, intergovernmental organisation, established at the Baghdad
 Conference in 1960, by Iran, Iraq, Kuwait, Saudi Arabia, and Venezuela.
 - Its headquarters is located in Vienna, Austria.
- Objective:
 - OPEC aims to coordinate and unify petroleum policies among its member countries
 to ensure fair and stable prices for producers, provide an efficient and regular
 supply of petroleum to consumers, and deliver a fair return on investment for those
 involved in the industry.
- Members:
 - Currently, the Organization has a total of 12 Member Countries: Algeria, Congo,
 Equatorial Guinea, Gabon, Iran, Iraq, Kuwait, Libya, Nigeria, Saudi Arabia, United
 Arab Emirates and Venezuela.
 - Qatar terminated its membership on 1 January 2019. Angola withdrew its membership effective 1 January 2024.
 - OPEC nations produce about 30% of the world's crude oil.
 - Saudi Arabia is the biggest single oil supplier within the group, producing more than 10 million barrels a day.

• OPEC reports that its member countries represent approximately **49% of global crude oil exports** and possess about **80% of the world's proven oil reserves.**

OPEC+:

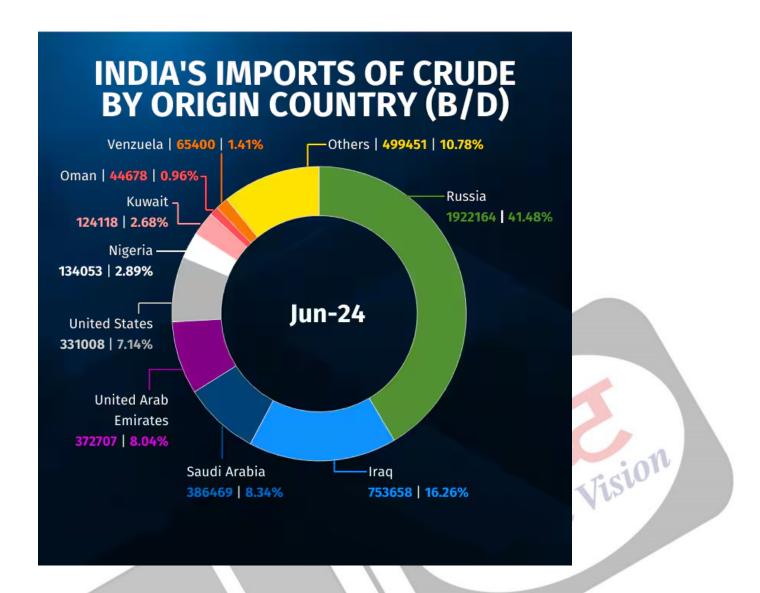
- In 2016, in reaction to declining oil prices caused by a surge in US shale oil production,
 OPEC formed an alliance with 10 additional oil-producing nations, leading to the
 establishment of OPEC+.
 - OPEC+ now includes the 12 OPEC member countries along with Azerbaijan, Bahrain, Brunei, Kazakhstan, Malaysia, Mexico, Oman, Russia, South Sudan, and Sudan.
- OPEC+ countries produce about 40% of all the world's crude oil.

Why is OPEC+ Planning to Cut Oil Production?

- Market Stabilisation: OPEC+ aims to stabilise and boost oil prices by cutting production, addressing fluctuating demand and oversupply.
 - This strategy is intended to **enhance revenue for oil-producing countries** amid economic uncertainties and geopolitical tensions.
- Response to Non-OPEC Supply Increases: The <u>International Energy Agency (IEA)</u> forecasts a significant increase in non-OPEC+ crude supply, particularly from the US, Canada, Brazil, and Guyana.
 - This influx challenges OPEC's market share, prompting the group to implement cuts to maintain price stability.
- Respond to Geopolitical Tensions: Rising geopolitical tensions, such as conflicts in the Middle East and disruptions in shipping routes, ongoing sanctions on Russian crude exports have impacted oil supply and prices.
 - OPEC+ aims to address these challenges through coordinated output cuts.
- Long-term Strategy: OPEC+ aims to ensure sustainable production levels and prevent market crashes, which can occur when supply exceeds demand. By controlling output, they are attempting to create a more predictable and stable market environment.

What are the Implications of OPEC+ Oil Production Cuts?

- Global Oil Prices:
 - A reduction in OPEC+ output is likely to lead to higher oil prices globally. This can result
 in increased costs for importing countries, impacting inflation rates and economic
 growth.
- Implications for India:
 - Shift in Supply Dynamics: With OPEC+ reducing production, India may increase crude oil imports from non-OPEC+ countries like the US, Canada, Brazil, and Guyana. This shift could diversify India's import sources, reducing reliance on West Asian crude oil
 - This diversification strategy is crucial as West Asian imports have already declined from 2.6 mb/d in 2022 to 2 mb/d in 2023.
 - Potential for Price Volatility: For India, diversifying the range of suppliers can enhance energy security, but increased reliance on non-OPEC sources may expose India to price fluctuations in these markets, potentially leading to higher import bills and impacting the trade balance.
 - India is the world's **third-largest consumer of crude oil** (after the US and China) with a **high import dependency** level of over **85%**.
 - Economic Growth: Higher oil prices can strain the Indian economy, particularly sectors reliant on oil. This could lead to increased transportation costs and inflation, affecting overall economic stability.



What are the Projected Trends in India's Liquid Fuels Consumption and Capacity Expansion?

- Growing Fuel Consumption: India's consumption of liquid fuels is expected to grow significantly, with projections indicating an increase from 5.3 mb/d in 2023 to 6.6 mb/d by 2028, a rise of 26% over five years.
 - This growth is attributed to various economic factors, including **population growth**, **GDP growth**, and **rising GDP per capita**.
 - The EIA estimates that annual growth in liquid fuels consumption will average between 4% and 5% until 2037.
- Capacity Expansion: India has expanded its refining capacity by 1.3 mb/d between 2011 and 2023 and plans further expansions to meet rising domestic fuel demand.
 - By 2028, 11 new crude oil capacity projects are expected, including the 1.2 mb/d Ratnagiri mega project.

What are the Major Challenges in India's Energy Sector?

- Energy Security and Import Dependency and Geopolitics: India relies on imports for over 75% of its oil needs which is projected to exceed 90% by 2040. This growing dependency on volatile international markets poses significant risks.
 - Increasing dependence on imported oil has placed India's energy security under severe strain, and geopolitical disruptions such as **Russia-Ukraine war** and US, UK and EU **sanctions over Russia** have exacerbated the problem. Russian crude accounted for nearly 36% of India's oil imports in FY24.
 - India's energy transition to renewable energy faces challenges, including its dependency on China for renewable technologies and related raw materials.

- Domestic Production Decline: India's crude oil production has declined since 2011-12 due to insufficient investment in exploration and ageing oil fields.
 - It declined from **32.2 million tonnes in 2019-20 to 29.2 million tonnes in 2022-23**, according to government data.
- Infrastructure Bottlenecks: Limited pipeline infrastructure and storage facilities hinder the efficient transport and distribution of crude oil in India.
 - It also includes issues such as land acquisition bottleneck, disinvestment, demand surge, lack of management skills, delay in regulatory clearances, climate change, underinvestment bottleneck, etc.
- **Rising Import Bill:** India's economy is susceptible to global oil price fluctuations, resulting in rising import bills that threaten fiscal stability.
 - India's net oil import bill is projected to reach USD 101-104 billion in FY25, up from USD 96.1 billion in FY24 which could negatively impact the economy by widening the current account deficit (CAD) and potentially causing higher inflation and fiscal deficits if not properly managed.

Way Forward

- Strengthening Bilateral Relations: India should focus on strengthening bilateral relations with oil-producing nations in the Americas to secure stable and favourable supply agreements.
- Investment in Domestic Refinery Capacity: Continued investment in refining capacity is
 essential. With plans for up to 11 new projects by 2028, India must prioritise these developments
 to enhance self-sufficiency and meet growing demand.
- Strategic Reserves: Building strategic petroleum reserves can provide a **buffer against supply** disruptions and price shocks, ensuring energy security during volatile market conditions.
- Diversification of Energy Sources: In addition to crude oil, India should explore alternative energy sources, including renewables, to reduce overall dependence on fossil fuels and enhance energy resilience.
- Monitoring Global Trends: Keeping a close watch on global oil market trends and OPEC+ decisions will allow India to adapt its energy strategy proactively, ensuring sustainable growth and stability in the energy sector.

Drishti Mains Question:

What is OPEC? Analyse how changes in global oil supply dynamics, particularly from non-OPEC+ countries, may influence India's energy security and economic growth in the coming years.

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims

- Q. Other than Venezuela, which one among the following from South America is a member of OPEC? (2009)
- (a) Argentina
- (b) Bolivia
- (c) Ecuador
- (d) Brazil

Ans: (c)

Mains

Q. "Access to affordable, reliable, sustainable and modern energy is the sine qua non to achieve Sustainable Development Goals (SDGs)". Comment on the progress made in India in this regard. (2018)

MoE Defines Literacy under NILP

For Prelims: New India Literacy Programme (NILP), National Education Policy (NEP) 2020, Sustainable Development Goal, PARAKH, NIPUN, Saakshar Bharat Programme, Census 2011, Foundational Literacy and Numeracy Assessment Test (FLNAT).

For Mains: Definition of Literacy and Full Literacy under NILP, Challenges Related to Literacy in India, Significance of Government Policies & Interventions in Education

Source: TH

Why in News?

Recently, the Ministry of Education (MoE) has defined 'literacy,' and what it means to achieve 'full literacy, as part of its renewed focus on adult literacy under the New India Literacy Programme (NILP). Vision

What is the New India Literacy Programme (NILP)?

- About:
 - New India Literacy Programme (NILP) is a centrally sponsored initiative that aligns with the **National Education Policy (NEP) 2020.**
 - It is also known as <u>ULLAS (Understanding of Lifelong Learning for All in Society)</u> Nav Bharat Saksharta Karyakram (erstwhile known as Adult Education).
- Vision:
 - The vision of this scheme is to make India 'lan lan Saakshar' and is based on the spirit of 'Kartavya Bodh' (Duty) and is being implemented through volunteerism.
- Objective:
 - It aims to educate 1 crore non-literate per year aged 15 years and above through Online Teaching, Learning and Assessment System (OTLAS).
 - OTLAS is a computer application embedded in the Web Portal/Mobile App under ULLAS developed by the National Informatics Centre (NIC).
 - It was launched for implementation during 5 years from FYs 2022-23 to 2026-27 with a financial outlay of Rs.1037.90 crore.
 - It aims to achieve **UN Sustainable Development (UNSDG)** Goal 4.6 (ensuring all youth and adults achieve literacy and numeracy by 2030)
- Key Components of the Scheme:
 - Foundational Literacy and Numeracy Assessment Test (FLNAT)
 - Critical Life Skills
 - Vocational Skills Development
 - Basic Education
 - Continuing Education
- Beneficiary Identification:

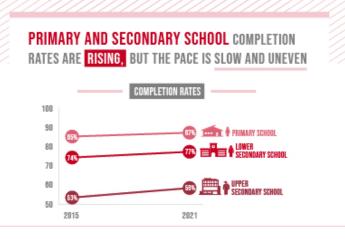
• Beneficiaries are identified through door-to-door surveys via a mobile app, and non-literates can also self-register through the app.

Other Key Aspects:

- The scheme heavily relies on **volunteerism for teaching and learning,** and volunteers can sign up via the mobile app.
- The NILP is primarily implemented through **online platforms and leverages** technology.
 - Educational materials and resources are made available on the <u>DIKSHA platform</u> of NCERT, accessible through mobile apps.
- Various modes, including TV, Radio, and Samajik Chetna Kendra, are utilised to disseminate foundational literacy and numeracy skills.









SECONDARY SCHOOL

What is the Definition of Literacy under NILP?

- Definition of Literacy: According to the MoE, literacy encompasses the ability to read, write, and perform arithmetic with comprehension.
 - It also includes identifying, understanding, interpreting, and creating content, along with acquiring critical life skills like digital and financial literacy.
- Full Literacy: A State or Union Territory (UT) is considered fully literate when it achieves a 95% literacy rate.
- Criteria for Literacy Certification: Under NILP, a non-literate person is considered literate if they pass the FLNAT.
 - Foundational Literacy and Numeracy Assessment Test (FLNAT):
 - This test evaluates **reading**, **writing**, **and numeracy skills** to assess foundational literacy.
 - It is conducted in all districts of participating States/UTs at District Institutes of Education and Training (DIETs) and government/aided schools.
 - It aims to **certify non-literate learners** and **promote multilingualism** by offering the test in regional languages, in line with the **NEP 2020**.
 - An individual is declared literate after successfully completing the **FLNAT**.
 - In 2023, out of 39,94,563 adult learners who took the FLNAT, 36,17,303 were certified as literate. However, in 2024, only 85.27% were certified as literate in FLNAT.

What are the Challenges Related to Literacy in India?

- Low Literacy Level: According to the <u>2011 Census</u>, there were <u>25.76 crore</u>
 non-literate individuals in India aged 15 and above (9.08 crore males and 16.68 crore females).
 - Despite the progress made through the Saakshar Bharat Programme (2009-10 to 2017-18), which certified 7.64 crore people as literate, an estimated 18.12 crore adults remain non-literate in the country, highlighting the need for the NILP.
- Lower Budget Allocation: The budget allocation for the New India Literacy Programme (NILP) was reduced from Rs 157 crore in 2023-24 to Rs 100 crore in the revised budget estimate, indicating financial constraints.
- **Gender Disparity:** There is a substantial gender gap in literacy rates, with women often having less access to education. Traditional gender roles, cultural norms, and economic factors contribute to this disparity. In many areas, girls are expected to prioritse household chores over education, leading to lower enrollment and higher dropout rates among female students.
 - This gender gap hampers the overall development and empowerment of women in society.
- Quality of Education: The quality of education in many Indian schools, especially in rural areas, is often poor. Inadequate teacher training, outdated curricula, and a lack of teaching materials contribute to low learning outcomes. Even students who complete primary and secondary education often lack basic literacy and numeracy skills, highlighting the gap between access to education and actual learning.
- High Dropout Rates: India faces a high dropout rate, particularly in rural areas and among economically disadvantaged groups. Economic pressures force many children to leave school early to contribute to the family income.
 - This is especially prevalent among girls, who may also drop out due to early marriage, domestic responsibilities, or concerns about safety and accessibility of schools.
- **Economic Constraints:** Poverty is a major barrier to literacy in India. Many families cannot afford to send their children to school, leading them to prioritise work over education. Even when children are enrolled in school, the costs of uniforms, books, and transportation can be prohibitive.
 - Economic constraints also affect the quality of education, as underfunded schools struggle to provide adequate resources and support to students.

What are the Government Initiatives Related to Educational Reforms?

- National Programme on Technology Enhanced Learning
- Samagra Shiksha Abhiyan

- RAGYATA (Plan- Review- Arrange- Guide- Yak (talk)- Assign- Track- Appreciate)
- Mid Day Meal Scheme
- Beti Bachao Beti Padhao
- PM SHRI Schools

Way Forward

- Community-Centric Partnerships: Collaborate with local communities, NGOs, and Self-Help
 Groups (SHGs) to effectively identify and engage marginalised populations.
- Flexible Learning Models: Implement diverse learning formats, such as evening classes, weekend workshops, and online courses, to accommodate varying schedules and preferences, thereby expanding accessibility.
- Leveraging Technology: Integrate <u>digital literacy</u> training into the curriculum, utilise adaptive learning platforms for personalised instruction, and develop mobile learning applications to enhance reach and effectiveness.
- Incentivisation and Peer Tutoring: Promote peer-to-peer learning to boost engagement and provide support, while offering incentives like skill certificates and vocational training opportunities to motivate learners.
- Integrating Life Skills Training: Embed financial literacy, health and wellness education, and vocational training into the curriculum to equip learners with essential life skills for better employability and decision-making.
- Strengthening Partnerships: Establish strong collaborations between government agencies, private sector organisations, and international entities to leverage resources, share expertise, and implement best practices.
- Monitoring and Evaluation: Implement a robust monitoring and evaluation framework, focusing on regular assessment and data-driven decision-making, to ensure continuous improvement in program effectiveness.

Drishti Mains Ouestion:

Q. What are the issues with the school education system in India? How can the current system in India address these challenges and ensure inclusive quality education?

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims

- Q. Which of the following provisions of the Constitution does India have a bearing on Education? (2012)
 - 1. Directive Principles of State Policy
 - 2. Rural and Urban Local Bodies
 - 3. Fifth Schedule
 - 4. Sixth Schedule
 - 5. Seventh Schedule

Select the correct answer using the codes given below:

- (a) 1 and 2 only
- **(b)** 3, 4 and 5 only
- (c) 1, 2 and 5 only
- (d) 1, 2, 3, 4 and 5

Ans- (d)

Mains

- **Q.** How have digital initiatives in India contributed to the functioning of the education system in the country? Elaborate on your answer. **(2020)**
- **Q.** Discuss the main objectives of Population Education and point out the measures to achieve them in India in detail. **(2021)**

Government Measures for LGBTQIA+ Community

Source: PIB

Why in News?

Recently, the <u>Department of Social Justice and Empowerment (DoSJE)</u> has sought inputs from the stakeholders and public at large to **enhance inclusivity in policies for the <u>LGBTQIA+ community</u>.**

This effort follows key actions by the Government of India in response to the <u>Supreme Court(SC)</u>
directives given in 2023, to protect <u>queer rights</u> and clarify their entitlements.

Note: LGBTQIA+ is an acronym that represents **lesbian**, **gay**, **bisexual**, **transgender**, **queer**, **intersex**, **and asexual**. The "+" represents the many other identities that are still being explored and understood.

What was the Supreme Court's Directives Regarding LGBTQIA+ Rights?

- The SC's directives, issued in its judgement regarding the recognition of same-sex marriages(
 <u>Supriyo@Supriya vs. Union, 2023)</u>, focused on expanding entitlements and rights for
 <u>LGBTQIA+ individuals</u>, particularly in areas where they faced discrimination.
 - The Supreme Court refused to recognize same-sex marriages but noted the government's plan to form a committee to examine entitlements for LGBTQIA+ people and couples in Queer relationships.
- In response to the Supreme Court's directives, the government formed a committee chaired by the Cabinet Secretary in April 2024 to tackle discrimination in social welfare, healthcare, public services, and policing.
 - A sub-committee under the Home Secretary was also established to oversee and implement these measures.

What Interim Measures Has the Government Taken Regarding LGBTQIA+ Rights?

- Ration Card Advisory: The Department of Food and Public Distribution advised States/UTs
 to treat partners in queer relationships as part of the same household for ration card
 purposes.
 - Further, States/UTs have been asked to take necessary measures to ensure that partners in queer relationships are not subject to any discrimination in the issuance of ration cards.
- Banking Rights: The Department of Financial Services confirmed that there are no restrictions for persons of the queer community to open a joint bank account and also to

nominate a person in queer relationship as a nominee to receive the balance in the account, in the event of the death of the account holder.

- Healthcare Initiatives: The Ministry of Health and Family Welfare has rolled out multiple
 initiatives, including the prohibition of conversion therapy, planning of awareness
 activities, ensuring the availability of sex reassignment surgery, and revising medical curricula
 to include queer-related health issues.
 - The Directorate General of Health Services has issued letters to State Health
 Departments to reduce discrimination and ensure accessible healthcare for the
 LGBTQI+ community.
 - Guidelines have been framed for medical intervention in **infants/children with intersex** conditions to ensure a medically normal life.
 - Additionally, the Ministry is working on guidelines to address mental health and well-being specific to the gueer community.
- Prison Visitation and Law & Order Advisory: The Ministry of Home Affairs issued advisories to all states/UTs regarding prison visitation rights for the queer community and on law and order measures to ensure their safety from violence, harassment, or coercion.

What Other Measures Taken Regarding LGBTQIA+ Community?

- National Portal for Transgender Persons
- Garima Greh
- Transgender Persons (Protection of Rights) Rules, 2020
- Support for Marginalised Individuals for Livelihood and Enterprise (SMILE) scheme
- National Council for Transgender Persons
- Swachh Bharat Mission(Urban): It has included dedicated toilets for transgender persons in their policy guidelines.
- Ayushman Bharat TG Plus Card: It provides the transgender community access to over 50 free health facilities by linking the SMILE scheme with the <u>Ayushman Bharat Scheme</u>.

Note: Supreme Court Decriminalizes Homosexuality: The five-judge Bench of SC in the case of Navtej Singh Johar & Ors vs Union of India case, 2018 partially struck down Section 377 of the Indian Penal Code, decriminalising same-sex relations between consenting adults. LGBT individuals are now legally allowed to engage in consensual intercourse.

LGBTQI+

LGBTQI+ refers to a broad category of people, including those who identify as lesbian, gay, bisexual, transgender, intersex, and queer. The terminology used varies widely depending on historical, cultural, and societal contexts.

Discrimination Against LGBTQI+ based on

- Sexual orientation (Sender expression)
- Gender identity
- Sex characteristics

SINCE 1982...

State of LGBTQI+ Rights Globally

LGBTI+rights index, 2019: The index captures to which extent lesbians, gay, bisexual, transgender and other people outside traditional sexuality and gender categories have the same rights as straight and cisgender people. It combines 18 individual policies, such as the legality of same-sex sexual acts, marriage, and gender marker changes. Higher values indicate more rights, negative values regressive policies.





- Pride Month: June
- 11th October: National Coming Out Day

History of LGBTQI+ Rights in India

-) 1992: First-ever protests demanding rights for gay individuals
-) 1994: An NGO challenged the constitutional validity of Section 377 of IPC. Dismissed in 2001
- 1999: India's first pride parade (Also South Asia's first)
- 2009: Naz Foundation vs. Govt. of NCT Delhi Case (In Delhi HC) - Treating gay sex between consenting adults as a crime gross violation of the fundamental right to privacy
- 2013: Suresh Kumar Koushal vs. Naz Foundation-SC overturned Delhi HC ruling

- (v) 2015: A private member's bill in Lok Sabha seeking decriminalizing homosexuality was introduced
- (a) 2017: Justice K. S. Puttaswamy vs. Union of India (UoI)- SC ruled privacy a fundamental right
- (a) 2018: Navtej Singh Johar vs. Uol- SC ruled Section 377 unconstitutional
- 2019: Transgender Persons (Protection of Rights) Act- To provide protection of rights of transgender persons and their welfare.

Present status of Same-Sex Marriage

2023: Supriyo vs. Uol- SC refused to grant legal status to same-sex marriage and denied same-sex marriage as a fundamental right



Read more: Recognition of LGBTQIA+ Rights in India

Drishti Mains Question:

Q. What measures have been implemented by the Government of India to support the LGBTQI+ community? Analyze their impact.

UPSC Civil Services Examination, Previous Year Question (PYQ)

Mains:

Q. Explain the constitutional perspectives of Gender Justice with the help of relevant Constitutional Provisions and case laws. **(2023)**

23rd Law Commission Set Up

Source: IE

Why in News?

Recently, the **Ministry of Law and Justice** set up the **23rd Law Commission** for a **three-year term**, from 1st September 2024 to 31st August 2027.

What are the Key Details About 23rd Law Commission?

- Mandate: In line with the terms of reference of the <u>22nd Law Commission</u> established in 2020, the newly constituted panel has been assigned the task of reviewing existing laws in the context of the <u>Directive Principles of State Policy</u>.
- Terms of Reference:
 - Examine existing laws in relation to the <u>Directive Principles of State Policy</u> and suggest reforms to align with the Directive Principles and Constitutional <u>Preamble</u> objectives.
 - Examine the impact of globalisation on food security and unemployment.
 - Recommend measures for the protection of the interests of the marginalised.
 - Review and enhance the **judicial administration** to make it more responsive and efficient.
 - The goals include reducing delays, simplifying High Court rules, and establishing a case flow management framework.

What is the Law Commission?

- About: It is a non-statutory body established through a notification from the Government of India's Ministry of Law and Justice to carry out research in the field of law for <u>legal reforms</u>.
 - It is established for a fixed tenure and works as an advisory body.
- History of the Law Commission: The first law commission was established in 1834 under the Charter Act of 1833 under the chairmanship of Lord Macaulay.
 - It recommended the codification of the <u>Indian Penal Code</u> and the <u>Criminal Procedure</u>
 Code.
 - Subsequently, the second, third, and fourth Law Commissions were formed in 1853, 1861, and 1879, respectively.
 - The Indian Code of Civil Procedure, 1908, the Indian Contract Act, 1872, the Indian Evidence Act, 1872 and the Transfer of Property Act, 1882 were developed by the first four Law Commissions.
- Formation of Law Commission After Independence: The first Law Commission of Independent India established in 1955 with the then Attorney-General of India, M. C. Setalvad, as its Chairman.
 - Since then 23 Law Commissions have been appointed, each with a three-year term.
- Functions of the Law Commission:
 - Review/Repeal of Obsolete Laws: Identify and recommend the repeal of obsolete and irrelevant laws.

- **Law and Poverty:** Examines laws impacting the poor and conducts post-audits of socioeconomic legislation.
- **Propose New Laws:** Proposes new laws to implement Directive Principles and achieve the Preamble's objectives.
- **Judicial Administration:** Reviews and provides recommendations on law and judicial administration issues referred by the Government.
- **Important Reports:** The Law Commission of India has submitted **289 reports** so far on various issues, some of the important reports are:
 - **Report No. 283 (September, 2023):** Age of Consent Under The Protection of Children From Sexual Offences Act, 2012.
 - Report No. 271 (July 2017): Human DNA Profiling.
 - Report No. 273 (October 2017): Implementation of the United Nations Convention against Torture.
 - Report No. 274 (April 2018): Review of the Contempt of Courts Act, 1971

Initiatives for Preservation of Indigenous Cattle Breeds

Source: TH

The National Institute of Animal Biotechnology (NIAB) is working on a number of initiatives for preservation and sustainable development of the livestock sector.

National Institute of Animal Biotechnology

- National Institute of Animal Biotechnology (NIAB) is an autonomous institute under the Department of Biotechnology, Ministry of Science and Technology.
- NIAB is aimed to harness novel and emerging biotechnologies and take up research in the cutting edge areas for improving animal health and productivity.
- Its mission is development of a **sustainable and globally competitive** <u>livestock industry</u> through innovative technology.
- The Institute's focus of research is on Animal Genetics and Genomics, Transgenic Technology, Reproductive Biotechnology, Nutrition Enrichment.

What are NIAB's Initiatives for Conservation of Indigenous Cattle Breeds?

- Genetic Sequencing of Indigenous Cattle: NIAB is using <u>Next Generation Sequencing</u>
 (<u>NGS</u>) data and genotyping technology to establish molecular signatures for registered <u>cattle</u>
 breeds.
 - Molecular signatures help in accurately identifying and maintaining the purity of indigenous cattle breeds and conserving unique genetic traits.
- Vaccine Development: NIAB is focussing on developing new-generation vaccines against diseases like brucellosis to improve animal health and reduce economic losses.
 - Efforts are aligned with the <u>'BioE3 (Biotechnology for Economy, Environment, and Employment)'</u> policy to enhance biomanufacturing.
- Advanced Research and Models: NIAB is focussing on development
 of 'bio-scaffolds' for tissue repair and drug delivery using natural and <u>3D-printed materials</u>.
 - Scaffold is a base material in which cells and growth factors are embedded to construct a substitute tissue.
 - A bovine lung cell-based 3D model has been created for tuberculosis drug screening and

disease modelling.

- **Promoting Sustainable Bio-Economy:** NIAB is working in line with **six thematic areas** set by the Department of Biotechnology (DBT) to promote a <u>circular bio-based economy</u>, focusing on alternative proteins and sustainable biomanufacturing.
- Alternatives to Antibiotics: NIAB has plans to use <u>bacteriophages</u> and their 'lytic' proteins as antibiotics alternatives to target bacterias such as staphylococci, E. coli and streptococci.
 - Bacteriophages, also known as phages, are viruses that infect and replicate only in bacterial cells. Bacteriophages kill bacteria.
 - Phage lytic proteins are a clinically advanced class of enzyme-based antibiotics, socalled enzybiotics.
- **Biomarkers for Nutritional Stress:** A **biomarker** (metabolite and protein) has been developed for early assessment of nutritional stress which may lead to decreased productivity and infertility in cattle population.
- Community Outreach and Sustainable Farming: NIAB promotes sustainable livestock farming through community engagement and programs like MILAN, which connects with livestock farmers to demonstrate new technologies.

What is Next-Generation Sequencing (NGS)?

- NGS is a new technology used for <u>DNA and RNA sequencing</u> and variant/mutation detection.
- NGS can sequence hundreds and thousands of genes or whole genome in a short period of time.
- It involves DNA fragmentation, massive parallel sequencing, bioinformatics analysis, and variant/mutation annotation and interpretation.
- NGS is also known as massively parallel sequencing or deep sequencing.

What is BioE3 Policy and Biotechnology in India?

- In August 2024, the Union Cabinet approved the proposal 'BioE3 (Biotechnology for Economy, Environment and Employment) Policy' of the Department of Biotechnology.
- BioE3 is designed to enhance biomanufacturing, focusing on producing bio-based products like fuel additives across multiple sectors.
- It supports national objectives like achieving a 'Net Zero' carbon economy and Mission Life(
 Lifestyle for environment) through a circular bioeconomy.
- It focuses on R&D innovation and entrepreneurship, sets up <u>Biomanufacturing and Bio-Al hubs</u>
 , and seeks to expand India's biotechnology workforce.
- Precision Biotherapeutics (precision medicine) to improve healthcare outcomes is one of the core themes of the BioE3 Policy.

What are Government Schemes for Development of the Livestock Sector?

- Rashtriya Gokul Mission
- Animal Husbandry Infrastructure Development Fund (AHIDF)
- National Animal Disease Control Programme
- National Artificial Insemination Programme
- National Livestock Mission
- National Kamdhenu Breeding Centre

Read More: Long Read Sequencing

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q1. Consider the following crops of India: (2012)

- 1. Cowpea
- 2. Green gram
- 3. Pigeon pea

Which of the above is/are used as pulse, fodder and green manure?

- (a) 1 and 2 only
- **(b)** 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Ans: (a)

Q2. At present, scientists can determine the arrangement or relative positions of genes or DNA sequences on a chromosome. How does this knowledge benefit us? (2011)

- 1. It is possible to know the pedigree of livestock.
- 2. It is possible to understand the causes of all human diseases.
- 3. It is possible to develop disease-resistant animal breeds.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- **(b)** 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Ans: (c)

Rule 170 of the Drugs and Cosmetics Rules, 1945

Source: IE

Recently, the <u>Supreme Court of India</u> criticised the <u>AYUSH</u> ministry for its directive to state licensing authorities to <u>disregard Rule 170 of the <u>Drugs and Cosmetics Rules</u>, <u>1945</u> which is designed to prevent misleading advertisements of AYUSH products.</u>

- Rule 170 was introduced in 2018 to <u>regulate the advertisement</u> of Ayurvedic, Siddha, and Unani medicines, requiring manufacturers to obtain approval and a unique identification number from state licensing authorities.
 - The rule aims to prevent misleading or exaggerated claims, obscene content, or references to government bodies in AYUSH product advertisements.

- The rule mandates manufacturers must submit details like textual references, rationale, indication, safety, effectiveness, and quality.
- On 1st July 2024, the AYUSH ministry issued a notification instructing state authorities to disregard Rule 170. This directive followed the recommendation made by the <u>Ayurvedic</u>, <u>Siddha</u>, <u>and Unani Drugs Technical Advisory Board (ASUDTAB)</u> in May 2023 to omit the rule, as amendments to the <u>Drugs and Magic Remedies Act</u>, <u>1954</u>, were under consideration to tackle misleading advertisements.
 - ASUDTAB is an expert body that recommends actions relating to regulation of AYUSH drugs.

AYUSH Systems of Medicine

Lord Brahma is believed to

be the f

proponent of

Ayurveda

AYUSH encompasses Ayurveda, Yoga & Naturopathy, Unani, Siddha, Sowa Rigpa, and Homeopathy, with Ayurveda having a documented history of 5000+ years.

Ayurveda

- Samhita Period (1000 BC): Emerged as mature medical system
 - Charaka Samhita: Oldest and most authoritative text
 - Sushruta Samhita: Gives fundamental principles and therapeutic methods in eight specialties
- (9) Main Schools:
 - Punarvasu Atreya School of physicians
 - Divodasa Dhanvantari School of surgeons

Branches of Ayurveda:

- Kayachikitsa (internal medicine)
- Shalya Tantra (surgery)
- Shalakya Tantra (disease of supraclavicular origin)
- Kaumarabhritya (paediatrics)

of physicians

- Agada Tantra (toxicology)Bhootavidya
- (psychiatry)
- Rasayana Tantra (rejuvenation and geriatrics)
- Vajikarana (eugenics & science of aphrodisiac)

propounded

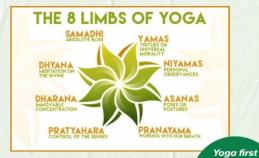
by Maharishi

Patanjali in

systematic form

Yogsutra

Yoga & Naturopathy



 Naturopathy: Healing with help of 5 natural elements - Earth, Water, Air, Fire and Ether

- Based on theories of self-healing capacity of body and principles of healthy living
- Encourages a person-centred approach rather than disease-centred

Unani

Pioneered in Greece, developed by Arabs as 7 principles (Umoor-e-Tabbiya)

- Based on the framework of teachings of Buqrat (Hippocrates) and Jalinoos (Galen)
 - Hippocratic theory of four humors viz. blood, phlegm, yellow bile, and black bile
- Recognised by WHO and granted official status by India as an alternative health system

Siddha

Dates back to 10000 – 4000 BC; Siddhar Agasthiyar - Father of Siddha Medicine

- Preventive, promotive, curative, rejuvenative, and rehabilitative health care
- 4 Components: Latro-chemistry, Medical practice, Yogic practice & Wisdom
- Diagnosis based on 3 humors (Mukkuttram) and 8 vital tests (Ennvagai Thervu)

Sowa Rigpa

Origin: Lord Buddha in India before 2500 years

- Traditional medicine in Himalayan regions of Ladakh, Himachal Pradesh, Arunachal Pradesh, etc.
- Recognised in India by Indian Medicine Central Council Act, 1970 (As amended in 2010)

Homeopathy

German physician Dr. Christian F. S. Hahnemann codified its fundamental principles

- Medicines prepared mainly from natural substances (plant products, minerals, animal sources)
- Brought in India by European missionaries
 1810; official recognition 1948
- (9) 3 Key Principles:
 - Similia Similibus Curentur (let likes be cured by likes)
 - Single Medicine
 - (h) Minimum Dose



Read more: Regulating Misleading Advertisements in India

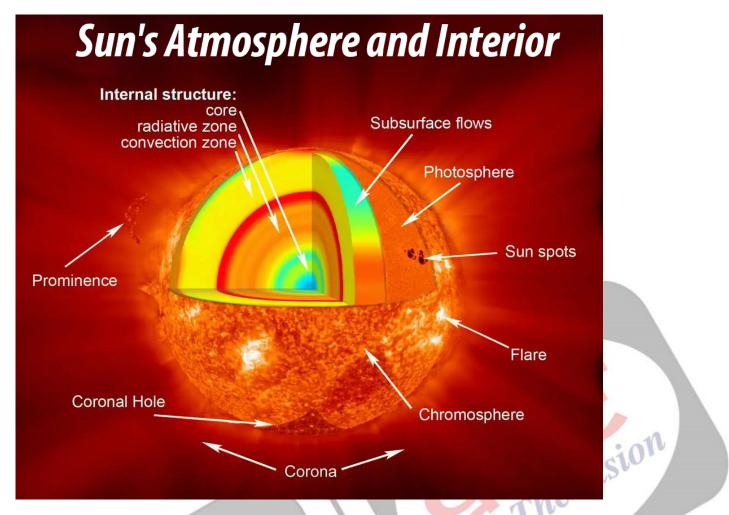


Solar Magnetic Field Research

Source: PIB

Recently, **Astronomers** at the **Indian Institute of Astrophysics (IIA)** have found a new way to study the **Sun's magnetic field** by studying the **magnetic field** at different layers of the **solar atmosphere**. The astronomers have done this using data from **IIA's Kodaikanal Tower Tunnel Telescope**.

- Research Details: The study focused on an <u>active sunspot</u> region characterised by complex features, including multiple umbrae (dark central regions) and a penumbra (outer lighter region).
 - Observations were conducted using the Hydrogen-alpha line and the Calcium II line.
 These lines help infer the magnetic field's stratification at various heights in the solar atmosphere.
 - Significance: The findings are significant in advancing our understanding of the Sun's magnetic field, setting the stage for future studies to explore solar magnetic phenomena in greater detail.
- Kodaikanal Tower Tunnel Telescope: It is a three-mirror based Solar telescope owned and operated by the Indian Institute of Astrophysics.
 - British astronomer John Evershed first observed the Evershed Effect in 1909 at the Kodaikanal Observatory in India.
 - **Evershed Effect** is a phenomenon that describes the flow of gas across the surface of sunspots.
- About Solar Atmosphere: The solar atmosphere consists of interconnected layers through magnetic fields. These fields play a crucial role in transferring energy and mass, which helps address the "coronal heating problem" and drives the solar wind.
 - The coronal heating problem is a mystery in solar physics that involves understanding
 why the <u>Sun's corona</u> (outermost layer of the Sun's atmosphere) is much hotter
 than the layers below it.



Read More: Coronal Mass Ejections

Agriculture Infrastructure Fund Expanded

Source: TH

Recently, the Union Cabinet expanded the scope of Rs. 1 lakh crore Agricultural Infrastructure Fund (AIF) to provide financial support for Farmers' Producers Organisations (FPOs) to improve their financial security and creditworthiness.

- AIF will now allow all eligible beneficiaries of schemes for creation of infrastructure covered under "viable projects for building community farming assets", this will boost growth, productivity, farm incomes, and overall agricultural sustainability.
 - It would be redesigned to include financial support for FPOs to enhance their financial security and creditworthiness.
- AIF: AIF is a financing facility launched in July 2020.
 - It aims to provide all-around financial support to the farmers, agri-entrepreneurs, farmer groups like <u>Self Help Groups (SHGs)</u>, Joint Liability Groups (JLGs) etc. and many others to create post-harvest management infrastructure and build community farming assets throughout the country.
- FPOs: FPOs are legal entities formed by a group of farmers who share common interests and goals.

- They are registered under various legal forms, such as cooperatives, companies, trusts, or societies and aim to provide better access to finance and markets to small and marginal farmers by aggregating their produce and bargaining power.
- They also provide technical assistance, input supply, value addition, and quality assurance to their members.

Read More: Agriculture Infrastructure Fund, Farmers Producer Organisation

Zyklon B

Source: TH

On 3rd September 1941, Nazis first used <u>Zyklon B</u> to kill Jews at the <u>Auschwitz concentration camp</u> in Poland.

- Auschwitz was a <u>Nazi Germany</u> concentration camp in which almost one million Jews were systematically murdered.
 - Jews were starved, worked to death and killed in the complex of gas chambers using toxic gasses like Zyklon B.
- About Zyklon B:
 - Zyklon B is the commercial name of hydrogen cyanide (HCN).
 - It was developed as a **pesticide** and **rodenticide** in the early 1920s in Germany.
 - It was produced as blue-coloured pellets that changed to an extremely poisonous gas, when exposed to the air.
 - Its inhalation led to **internal asphyxiation** of the victims by blocking the exchange of oxygen in the **red corpuscles** and impeding **cellular respiration**.
 - Zyklon B became notorious during World War II. France in 1916 and Italy and the United States in 1918 also used it during World War I.

Read More: Holocaust and World War II

PDF Refernece URL: https://www.drishtiias.com/current-affairs-news-analysis-editorials/news-analysis/04-09-2024/print