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After SC rap, EC wakes up to its powers

In News:

Poll body acted against communal speeches after top court pulled it up and gave it 24 hours to act

InBrief:

1. The Supreme Court on Tuesday took note of the Election Commission of India (ECI) quickly changing tack on April 15 to pass a flurry of restraining orders against leading political candidates for their communally provocative and divisive speeches.

2. The ECI orders came shortly after the poll body invited the court's wrath for describing itself as "toothless" in the face of hate.

3. The CJI was referring to ECI action taken against Uttar Pradesh Chief Minister Yogi Adityanath, Bahujan Samaj Party supremo Mayawati, Samajwadi Party leader Azam Khan and BJP leader Maneka Gandhi.

4. All four leaders were variously restrained from election campaigning for 48 to 72 hours.

Tackling hate speech

Some laws that can be used in speeches that are communally sensitive or incite religious feelings:

(I) Indian Penal Code, 1860

- Section 124A, IPC penalises sedition
- Section 153A IPC penalises 'promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and acts prejudicial to maintenance of harmony'

(II) Representation of The People Act, 1951

- Section 123(3A) and Section 125 prohibits promotion of enmity on grounds of religion, race, caste, community or language in connection with election as a corrupt electoral practice and prohibits it

(iii) Cable Television Network Regulation Act, 1995

- Sections 5 and 6 of the Act prohibit transmission or re-transmission of a programme through cable network in contravention to the prescribed programme code or advertisement code

(vi) Cinematograph Act, 1952

- Sections 4, 5B and 7 empower the Board of Film Certification to prohibit and regulate the screening of a film

Vaishno Devi Temple

- It is the famous Hindu cave temple situated in the foothills of the Trikuta Mountains at the Reasi district of Jammu and Kashmir.
- Banganga river is the sacred river runs very near to the temple.
- Banganga river is an important tributary of the Chenab river.



Note



Notre dame

Why in news?

- Days just earlier, the Notre Dame cathedral of Paris caught fire and the church sustained serious damages.
- French President Emmanuel Macron vowed that Notre-Dame would be rebuilt.

About Notre Dame:

- Notre-Dame de France (meaning: Our Lady of Paris) is a medieval Catholic church in Paris, France.
- The Cathedral/Church is considered to be one of the finest examples of Gothic architecture.
- It is an UNESCO world heritage site.

Note:

- The Gothic architectural style influenced Indian buildings of British times.
- Indo-Saracenic architecture was the style introduced by the Europeans particularly by the English in India during the modern times.
- Indo-Saracenic architecture is infact the happy blending of architectural elements of Persian, Indian and European styles.



SC irked after poll panel's counsel says it is 'powerless'

Supreme Court ordered the Election Commission of India (ECI) to explain its lawyer's submissions that the poll body is largely "powerless" and "toothless" to act against religious and hate speeches by candidates during the on-going Lok Sabha election campaigning.

Hate speech

Hate speech is a statement intended to demean and brutalize another.

It is the use of cruel and derogatory language, gestures or vandalism often directed towards an individual or group.

Hate speech is speech that attacks a person or a group on the basis of attributes such as race, religion, ethnic origin, national origin, sex, disability, sexual orientation, or gender identity.

The laws of some countries describe hate speech as speech, gestures, conduct, writing, or displays that incite violence or prejudicial actions against a group or individuals on the basis of their membership in the group, or disparages or intimidates a group, or individuals on the basis of their membership in the group.

The law may identify a group based on certain characteristics.[4][5][6] In some countries, hate speech is not a legal term.

Hate Speech Laws in India:

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Freedom of speech and expression is protected by article 19 (1) of the constitution of India, but under article 19(2) “reasonable restrictions” can be imposed on freedom of speech and expression in the interest of “the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence”.

What is MCC?

These are the guidelines issued by the Election Commission of India for conduct of political parties and candidates during elections mainly with respect to speeches, polling day, polling booths, election manifestos, processions and general conduct.

Aim: To ensure free and fair elections.

When it comes into force?

- The Model Code of Conduct comes into force immediately on announcement of the election schedule by the commission.
- Election Commission (EC) has announced that Model Code of Conduct comes into force immediately in states where legislative assemblies have been dissolved prematurely.
- The Code remains in force till the end of the electoral process.

Status:

The need for such code is in the interest of free and fair elections. However, the code does not have any specific statutory basis. It has only a persuasive effect. It contains what is known as “rules of electoral morality”. But this lack of statutory backing does not prevent the Commission from enforcing it.

Evolution:

The Commission issued the code for the first time in 1971 (5th Election) and revised it from time to time. This set of norms has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.

What it contains?

The salient features of the Model Code of Conduct lay down how political parties, contesting candidates and party(s) in power should conduct themselves during the process of elections i.e. on their general conduct during electioneering, holding meetings and processions, poll day activities and functioning of the party in power etc.

Legal Status of MCC?

- The MCC is not enforceable by law. However, certain provisions of the MCC may be enforced through invoking corresponding provisions in other statutes such as the Indian Penal Code, 1860, Code of Criminal Procedure, 1973, and Representation of the People Act, 1951.
- The Election Commission has argued against making the MCC legally binding; stating that elections must be completed within a relatively short time (close to 45 days), and judicial proceedings typically take longer, therefore it is not feasible to make it enforceable by law.
- On the other hand, in 2013, the Standing Committee on Personnel, Public Grievances, Law and Justice, recommended making the MCC legally binding since most provisions of the MCC are already enforceable through corresponding provisions in other statutes, mentioned above.
- **The main points of the code are:**
- Government bodies are not to participate in any new recruitment process during the electoral process.
- The contesting candidates and their campaigners must respect the home

Note



life of their rivals and should not disturb them by holding road shows or demonstrations in front of their houses. The code tells the candidates to keep it.

- The election campaign rallies and road shows must not hinder the road traffic.
- Candidates are asked to refrain from distributing liquor to voters. It is a widely known fact in India that during election campaigning, liquor may be distributed to the voters.
- The election code in force hinders the government or running party leaders from launching new welfare programmes like construction of roads, provision of drinking water facilities etc. or any ribbon-cutting ceremonies.
- The code instructs that public spaces like meeting grounds, helipads, government guest houses and bungalows should be equally shared among the contesting candidates. These public spaces should not be monopolised by a few candidates.

Rawat bats for indigenisation

Chief of Army Staff General Bipin Rawat called for enhanced coastal security and expressed satisfaction over the thrust being attached by the Indian Coast Guard (ICG) for indigenisation and augmenting its fleet under 'Make in India' programme to face the challenges posed by various elements.

Why is indigenisation critical?

- About 62% of India's arms imports in 2013-17 originated in Russia, 15% in the US and 11% in Israel.
- India is the largest customer for the Russian and Israeli defence industries and the third-largest for the French.
- Significantly, India's imports from the US jumped around 500% between 2008-12 and 2013-17.
- India's rising imports of arms is in sharp contrast to China.
- China reported a 19% drop in overseas purchases between 2008-12 and 2013-17.
- It accounts for 4.6% of the global arms export market.
- With this, it has emerged the fifth-largest exporter of arms.
- Given this high level of dependence, indigenisation of defence procurement is critical for strategic reasons.

Steps taken for Indigenization:

- Private sector - 'Make in India' focuses on increasing indigenous defence manufacturing and becoming self-reliant.
- The resultant private participation in defence sector has helped foreign OEMs (Original Equipment Manufacturers).
- They have entered into strategic partnerships with Indian companies.
- It has leveraged opportunities in the domestic as well as global markets.
- Duty exemption - The preferential treatment given to DPSUs in excise and customs duty has been discontinued.
- This is to create a level playing field for all Indian industries (public and private).
- Indigenisation - The Defence Procurement Procedure 2013 was amended with effect from April, 2016.
- This was to encourage indigenous design, development and manufacture of defence equipment.
- India's focus on indigenous manufacturing is paying off.
- Evidently, the ministry of defence over the last 2 years unveiled several products manufactured in India.
- These include
 - i.the HAL Tejas light combat aircraft
 - ii.the composite Sonar dome

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iii.a portable telemedicine system for the Armed Forces

iv.penetration-cum-blast and thermobaric ammunition specifically designed for Arjun tanks

v.a heavyweight torpedo called Varunastra manufactured with 95% locally sourced parts

vi.medium range surface to air missiles

- Defence deals - The Defence Acquisition Council under the ministry of defence has cleared many defence deals.
- Deals worth over Rs 820 billion under the “buy and make” and “buy Indian” categories were cleared.
- FDI - 100% FDI is allowed in the defence sector.
- Of this, up to 49% is under the automatic route.
- FDI above 49% is permitted through the government route.
- This is done on a case-by-case basis where it is likely to result in access to modern technology.
- Budget - The government increased the defence budget by around 5.9% for 2018-19.
- Accounting for around 12% of total government expenditure, it is around 7.8% more than the last year’s budget.
- Industries - It is planned to develop two defence industrial production corridors.
- Formulating an industry-friendly military production policy is also under consideration.
- An industry-friendly “defence production policy 2018” to promote domestic production by the public sector, private sector and MSMEs is also underway.
- Foreign trade policy - It provides guidelines for engaging with Indian missions abroad.
- It facilitates exports of indigenously developed defence systems.
- In an unprecedented move, India recently called in all its 44 defence attaches from missions abroad.
- It aimed at tapping the potential for defence exports and strengthening the interface between the government and industry.
- The measures have contributed to increasing defence manufacturing and exports.

Earth sized exoplanet found-TESS

In news:

NASA’s Transiting Exoplanet Survey Satellite, TESS, has discovered its first Earth-sized exoplanet.

In brief:

The planet, HD 21749c, is about 89% Earth’s diameter.

It orbits HD 21749, a star with about 70% of the Sun’s mass located 53 light-years away in the southern constellation Reticulum, and is the second planet TESS has identified in the system.

The new world is likely rocky and circles very close to its star, completing one orbit in just under 7.8 days. The planet is likely very hot, with surface temperatures perhaps as high as 4270C.

This is the 10th confirmed planet discovered by TESS.

Scientists at the Massachusetts Institute of Technology and the Carnegie Institution for Science analyzed TESS transit data from the first four sectors of TESS observations to detect 11 periodic dips in the star’s brightness. From this, they determined that the star’s light was being partially blocked by a planet about the size of Earth.

Note



TESS: NASA's planet hunting satellite

The Transiting Exoplanet Survey Satellite (TESS) is a MIT led NASA mission for a two-year survey that will discover exoplanets in orbit around bright stars. The mission is also funded by Google.

Tech specs:

Weight: 362 kg

Launch date: 18 April 2018

Launch vehicle: Falcon 9



The TESS satellite uses an array of wide-field cameras to perform a survey of 85% of the sky.

Orbiting the Earth, TESS focuses its four cameras outward to monitor the nearest, brightest stars in the sky, looking for any periodic dips in starlight that could indicate the presence of an exoplanet as it passes in front of its host star.

However, Kepler observed stars that are many leagues further away than those that are monitored by TESS.

TESS will also help researchers measure mass and maybe even the composition of planetary atmospheres.

Many exoplanets will be studied using TESS so that, NASA can determine the best targets for missions like the James Webb Space Telescope, which was planned for launch in 2021 and would be able to characterize the details and atmospheres of exoplanets in ways scientists have not been able to do.

Note

