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30 August, 2024

Prevention of Money Laundering Act

Context: *In a judgment, the Supreme Court ruled that under the Prevention of Money Laundering Act (PMLA), bail is the norm and imprisonment is the exception.*

➢ **Objectives**:

- **Prevention**: To prevent money laundering through stringent measures and monitoring.
- **Detection**: To detect and investigate money laundering cases.
- **Confiscation**: To confiscate property involved in money laundering to deter and disrupt illicit financial flows.
- **International Cooperation:** To facilitate global collaboration in combating money laundering and terrorist financing.

➢ **Historical Background:**

- **UN Convention (1988):** Urged countries to prevent laundering of drug crime proceeds.
- **FATF Establishment**: Recommended measures to combat money laundering, adopted by India for PMLA.
- **UNGA Resolutions:** Encouraged enactment of laws to prevent drug money laundering.
- **UN Special Session (2000):** Urged combating money laundering.
- **Palermo Convention (2000):** Called for criminalizing money laundering of crime proceeds.
- **PMLA Enactment:** Implemented under Article 253 of the Indian Constitution to fulfill international obligations.

➢ **Salient Features:**

- **Definition (Section 3):** Money laundering involves any attempt to project crime proceeds as untainted.
- **Offences Under PMLA:**
  - **Part A:** Includes offences under various acts such as IPC, Narcotics Act, etc.
  - **Part B:** Includes serious offences with a value of Rs 1 crore or more.
  - **Part C:** Covers trans-border crime-related money laundering.
- **Punishment (Section 4):** Imprisonment from three to seven years and fines.
- **Agency Powers:**
  - **Enforcement Directorate (ED):** Investigates money laundering and property attachment.
  - **Financial Intelligence Unit-India (FIU-IND):** Processes and analyzes financial transaction data.
  - **Other Agencies:** Local police, CBI, customs, SEBI investigate scheduled offences.
- **Obligations**: Banks and financial institutions must verify and report client transactions.
- **Authority Setup:**
  - **Adjudicating Authority:** Handles jurisdiction and powers.
  - **Appellate Tribunal:** Hears appeals against Adjudicating Authority orders.
- **Special Courts:** Designated courts of sessions for PMLA offences.

➢ **Supreme Court Observations:**

- **Strict Bail Conditions:**
  - **Nikesh Tarachand Shah vs Union of India (2018):** Declared unconstitutional for violating Article 14 and Article 21.
  - **Vijay Madanlal Choudhary vs Union of India (2022):** Upheld the strict bail provision as reasonable and aligned with PMLA's objectives.
- **ED's Overreach:**
  - **Pankaj Bansal vs Union of India:** Highlighted inconsistencies and called for fairness.
- **Procedural Violations:**
  - **Pavana Dibbur vs The Directorate of Enforcement (2023):** Noted procedural violations and misuse, stressing adherence to legal standards.

Denotified Tribes

Context*: Dhangars, a denotified and nomadic tribe, in Maharashtra are in tussle with the state over their demand for 'grazing corridors' in the region of their transhumance.*

➢ **Who are DNTs?**

- **Definition:** De-notified Tribes (DNTs) are communities formerly classified under the Criminal Tribes Acts by the British Raj (1871-1947), later de-notified in 1952.
- **Nomadic and Semi-Nomadic:** Some DNTs were nomadic, moving seasonally for their livelihoods. "Semi-nomad" describes those with less frequent or shorter movements.
- **Population:** South Asia has the largest nomadic population, with about 10% of India's population being de-notified and nomadic.
- **Historical Classification:** Initially labeled as 'born criminal' under the Criminal Tribes Act of 1871, DNTs were de-notified in 1952, but the Habitual Offenders Act continued to affect them.
- **National Commission:** The NCDNT, established in 2003 and reconstituted in 2005, estimated the DNT population at 10.74 crore based on the 2001 Census. A 2014 commission identified 1,262 such communities.

➢ **Status of DNTs in India**

- **Population**: Over 10 crore Indians from more than 1,400 communities are de-notified, nomadic, or semi-nomadic.

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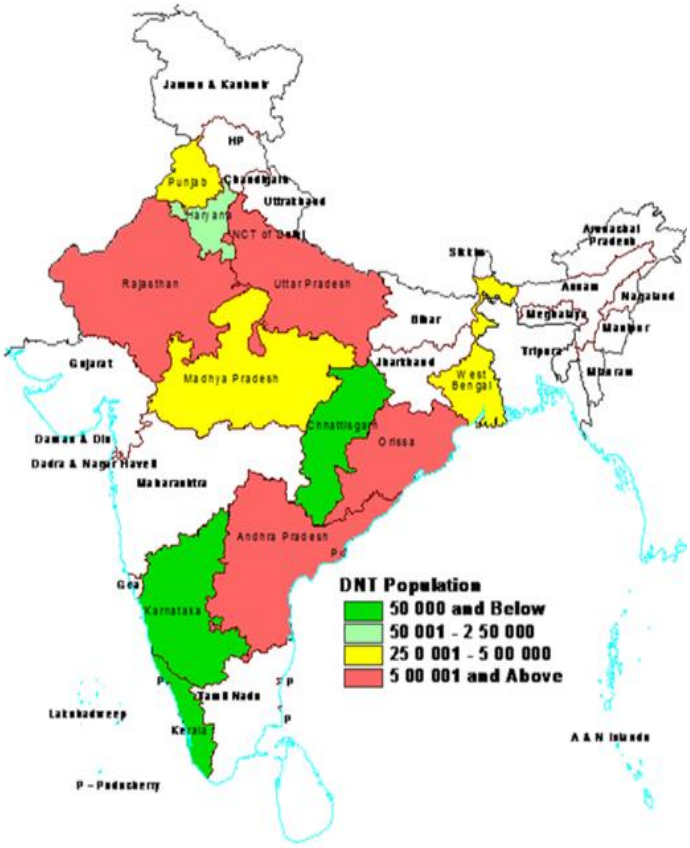
- **National Commission:** In 2014, the National Commission for De-notified, Nomadic, and Semi-Nomadic Tribes (NCDNT) was established for three years to:
  - Prepare a state-wise list of castes.
  - Suggest measures for these tribes by Central or State Governments.
- **Previous Commission:** The NCDNT/Renke Commission (2008) was earlier tasked with identifying and listing DNT communities.



➢ Development and Welfare Board for DNTs

- **Recommendation**: The Idate Commission recommended setting up a permanent commission for DNTs.
- **Current Structure:** The government established the Development and Welfare Board for De-notified, Nomadic, and Semi-Nomadic Communities (DWBDNCs) in 2019, chaired by BR Idate, under the Societies Registration Act, 1860, for implementing welfare programs.

➢ SEED (Scheme for Economic Empowerment of DNTs)

- **Launch and Allocation:** Launched in February 2022 by the Ministry of Social Justice and Empowerment with a ₹200 crore allocation over five years (FY 2021-22 to FY 2025-26)..
- **Components**:
  - **Educational Empowerment:** Free competitive exam coaching for DNT candidates.
  - **Health:** Health insurance through PM Jan Arogya Yojana.
  - **Livelihoods:** Support through National and State Rural Livelihood Missions (NRLM and SRLMs).
  - **Land and Housing:** Financial assistance for house construction through PM Awas Yojana.
- **Implementation**: Managed by the DWBDNCs.
- **Eligibility**: DNT communities with a family income of ₹2.50 lakhs or less and not benefiting from other central/state schemes.

➢ History of Deprivation Faced by DNTs

- **Notable Commissions:**
  - Criminal Tribes Inquiry Committee (1947)
  - Ananthasayanam Ayyangar Committee (1949)
  - Kaka Kalelkar Commission (1953)
  - B N Lokur's Advisory Committee (1965)
  - B P Mandal Commission (1980)
  - National Commission to Review the Working of the Constitution (2002)
- **Problems Faced:**
  - Social and economic marginalization
  - Low human development index and high relative deprivation
  - Large deprivation from planned development gains
  - Lack of empowerment and social stigma
- **Political and Leadership Issues:** Limited political engagement, lack of vocal leadership, and absence of national leader patronage.

Tropical Cyclones

Context: *The deep depression bringing heavy rain to Gujarat is expected to intensify into a tropical cyclone over the Arabian Sea on August 30, according to the IMD.*

➢ How a Tropical Cyclone is Formed:

- **Formation Location:** Occurs over warm ocean waters near the equator.
- **Initial Process:** Warm, moist air rises from the ocean surface, creating a low-pressure area.
- **Air Movement:** Surrounding higher-pressure air moves toward the low-pressure area, warming up and rising.
- **Cloud Formation:** Rising air cools, causing water vapor to form clouds.
- **System Development:** The system of clouds and wind spins and grows, fueled by ocean heat.
- **Cyclone Formation:** As wind rotation increases, an eye forms in the center.

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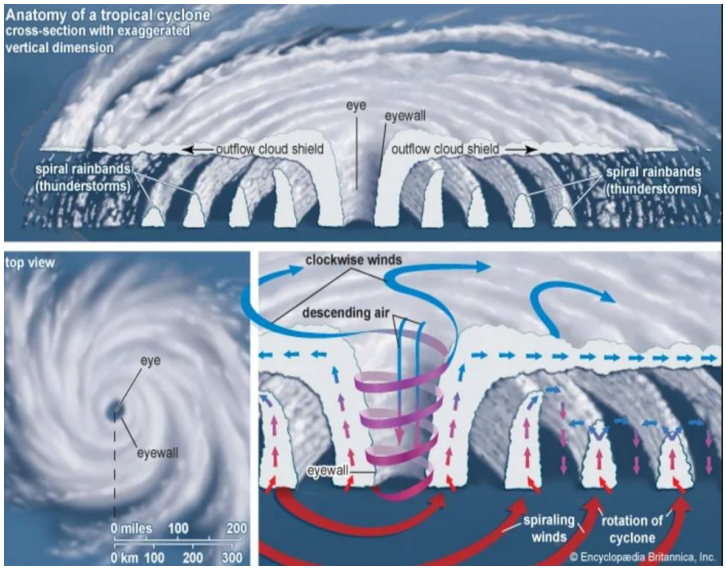
Characteristics of a Tropical Cyclone:

- **Calm Center:** The cyclone's center is calm and clear with very low air pressure.
- **Speed**: Average wind speed is 120 km/h.
- **Isobars**: Features closed isobars, leading to higher wind velocity. (Isobars are lines connecting points of equal pressure on a weather map.)
- **Location**: Develops over oceans and seas.
- **Movement**: Moves from east to west under trade winds.
- **Seasonal**: Occurs seasonally.



Cyclone Classification:

- **Depression**: Wind speeds of 31–49 km/h.
- **Deep Depression:** Wind speeds of 50-61 km/h.
- **Cyclonic Storm:** Wind speeds of 62–88 km/h.
- **Severe Cyclonic Storm:** Wind speeds of 89-117 km/h.
- **Very Severe Cyclonic Storm:** Wind speeds of 118-166 km/h.
- **Extremely Severe Cyclonic Storm:** Wind speeds of 166-221 km/h.
- **Super Cyclonic Storm:** Wind speeds above 222 km/h.

Cyclone Naming:

- **Regional Bodies:** There are five regional bodies for tropical cyclones:
  - ESCAP/WMO Typhoon Committee
  - WMO/ESCAP Panel on Tropical Cyclones
  - RA I Tropical Cyclone Committee
  - RA IV Hurricane Committee
  - RA V Tropical Cyclone Committee
- **Indian Ocean Naming:** The WMO/ESCAP Panel on Tropical Cyclones names cyclones in the Indian Ocean.

NEWS IN BETWEEN THE LINES

She-Box Portal

Recently, the She-Box portal was launched by Women and Child Development Minister Annpurna Devi in New Delhi.

About the She-Box Portal:

- She-Box Portal is a **centralized platform** for registering and monitoring complaints of sexual harassment at the workplace.
- It **provides a facility to file complaints**, **track their status** and **ensure time-bound processing** by Internal Committees.
- Complaints **can be registered safely without making personal information** publicly accessible.
- The initiative is aimed at **creating a safer** and more inclusive working environment for women in the country.
- The She-Box portal and the new website of the ministry can be accessed at shebox.wcd.gov.in and wcd.gov.in.

Pacific Islands Forum

Recently, India has reaffirmed its commitment to work closely with Pacific partner countries and the Pacific Islands Forum (PIF).

About the Pacific Islands Forum:

- The Pacific Islands Forum (PIF) was **established in 1971 as a platform for regional cooperation among Pacific nations.**
- It **consists of 18 member countries**, including **India**, **USA, Australia**, **New Zealand**, **China**, **Fiji**, **Papua New Guinea** and several other members of the EU.
- The Forum's **vision is to promote peace**, **harmony**, **security**, **social inclusion** and prosperity in the Pacific region, ensuring that all Pacific peoples can lead free, healthy and productive lives.

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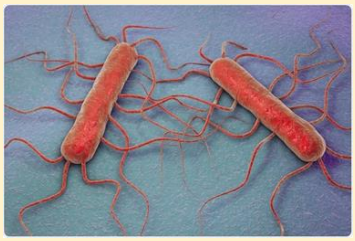
	▪ It **operates under the Framework for Pacific Regionalism**, which outlines its strategic visions and objectives, guiding the Forum's work and priorities. ▪ The Forum is **directed by a Secretary-General**, with annual meetings held among the leaders of its member countries to discuss and agree on policies beneficial to the region. ▪ It **advocates for global climate action** and **funds resilience efforts** through the Pacific Resilience Facility (PRF) **to support vulnerable Pacific nations**.
INS Arighaat 	*The 'INS Arighaat' submarine was commissioned into the Indian Navy on 29th of August, 2024 at Visakhapatnam in the presence of Raksha Mantri Rajnath Singh.* **About the INS Arighaat:** ▪ The Indian Naval Ship Arighaat is the second Arihant-Class submarine. ▪ It **strengthens India's nuclear triad**, enhancing its nuclear deterrence and strategic balance in the region. ▪ The submarine **features indigenous systems** and **equipment developed by Indian scientists, industry,** and **Naval personnel,** reflecting India's push for '**Aatmanirbharta'** (self-reliance) in defence. ▪ It is **more advanced than its predecessor, INS Arihant**, due to the use of advanced design, manufacturing technology and special materials. ▪ Its construction involved the use of advanced design and **manufacturing technology**, **detailed research** and development, **utilisation of special materials**, **complex engineering** and highly skilled workmanship.
Listeria 	*Recently, more than 50 illnesses and nine deaths have been reported due Listeria outbreak in US.* **About the Listeria:** ▪ Listeria (Listeria monocytogenes) is a **type of bacteria** commonly **found in soil, vegetation, water, sewage** and the **faeces of animals** and **humans**. ▪ Consuming food contaminated with Listeria can lead to an **infection known as listeriosis.** ▪ Most individuals who ingest **Listeria-contaminated food** do not become ill or show symptoms. ▪ The bacteria can **remain in the infected person's system for up to two months** before symptoms appear, making it challenging to link the infection to specific food consumption. ▪ Symptoms of listeriosis may include **vomiting**, **nausea**, **abdominal cramps**, severe **headache**, constipation and **fever**. ▪ Individuals with compromised immune systems, pregnant women, and elderly people aged 65 and above are particularly vulnerable to listeriosis.

POINTS TO PONDER

- Recently, Bihar Chief Minister Nitish Kumar inaugurated a state-of-the-art sports academy, sports complex, and sports university in which location on the occasion of National Sports Day? **– Rajgir**
- Which Indian state recently launched the country's first indigenous Monkeypox RT-PCR Kit, developed in collaboration with Transasia Diagnostics? **– Andhra Pradesh**
- Which fishing port in Kerala is set to have its third phase of construction inaugurated by Prime Minister Narendra Modi through online mode today on 30th August, 2024? **– Arthunkal**
- In which district of Uttar Pradesh did the forest department officials and experts successfully capture the most ferocious wolf as part of "Operation Bhediya" yesterday on 29th of August 2024? **– Bahraich**
- Which municipality in Nepal has been declared by World Health Organisation (WHO) as Nepal's first 'healthy city' and the second healthiest city in Asia? **– Dhulikhel**