

9 December, 2023

Advocates Amendments Bill

Context: The Advocates Amendment Bill, 2023, was passed in the Lok Sabha during the first day of the Parliament's Winter Session.

- The Advocates Amendment Bill, 2023, successfully passed in the Lok Sabha during the Parliament's Winter Session.
- Its primary objective is to eradicate 'touts' from the legal system by repealing the antiquated Legal Practitioners Act, 1879, and amending the Advocates Act, 1961.

Background:

- The Legal Practitioners Act of 1879 was enacted to consolidate and amend laws related to legal practitioners in specific provinces.
- The Act's Section 2 defined "tout" as someone procuring clients for a legal practitioner in exchange for payment, encompassing various locations like civil or criminal courts, revenue offices, and railway stations.

Transition to Advocates Act, 1961:

- The Advocates Act of 1961 was introduced post-independence to consolidate laws related to legal practitioners and establish Bar Councils and an All-India Bar.
- It replaced three pre-independence Acts, including the 1879 Act, governing legal practitioners.

Need for Change:

- The Law Commission, in its 249th Report, recommended repealing the outdated 1879 Act due to its obsolescence.
- The Advocates Act of 1961 retained provisions related to touts, leading to the introduction of the Advocates Amendment Bill, 2023.

Advocates Amendment Bill, 2023:

- The new Bill inserts Section 45A into the 1961 Act, empowering High Courts and district judges to frame and publish lists of touts.
- Individuals' names won't be included without providing them an opportunity to contest the allegations.
- Alleged touts can be reported to subordinate courts for inquiry, with subsequent actions taken based on the findings.
- Conviction as a tout results in inclusion in a published list in every court, accompanied by potential imprisonment.

Objective of the Bill:

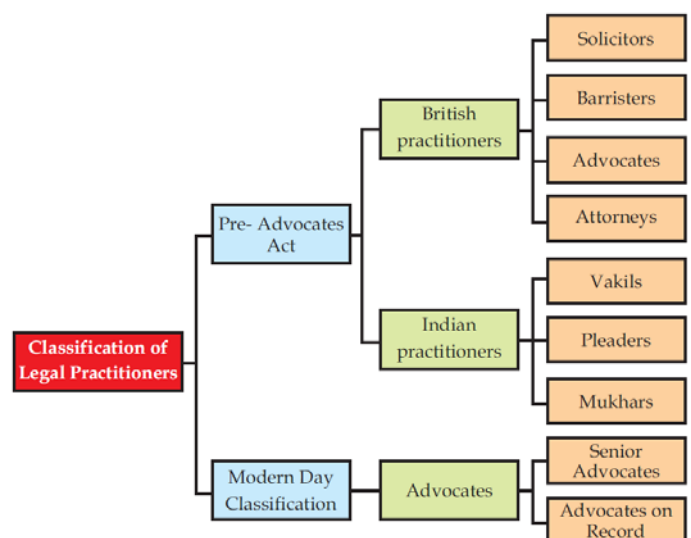
- The overarching goal of the Bill is to streamline legal enactments by reducing superfluous laws and eliminating obsolete acts.
- In accordance with the government's policy, the Bill consults with the Bar Council of India to repeal the outdated Legal Practitioners Act, ensuring alignment with contemporary legal practices.

What is a tout?

- A 'Tout' is a person, who induces/instigates, on the basis of falsity, any party of a court's case/complaint/matter to engage any particular lawyer for conduction of said case/complaint/matter in the court.
- The fee of said lawyer in that court's case/complaint/matter is also settled by said 'Tout'. After getting part/full payment of said fee by said lawyer from that party, about fifty percent of that payment is given to 'Tout' by said lawyer.
- In this way the fifty percent of total received fee in question goes into pocket of 'Tout'.

Classification of Legal Practitioners in India

1. **Solicitors:** British solicitors in pre-Independence India evolved into a distinct class in present-day Bombay and Calcutta High Courts, responsible for case preparation without courtroom advocacy.
2. **Barristers:** English barristers held a predominant position in the legal profession during British India, particularly on the Original Side of the Calcutta High Court where exclusive practice rights were granted.
3. **Attorneys:** Initially denoting British attorneys or solicitors, the term now occasionally encompasses advocates in a broader sense.
4. **Indian Practitioners:**
 - **Vakil:** Native practitioners qualified for pre-Independence High Courts, but this class no longer exists.
 - **Pleaders:** Law graduates lacking additional vakil qualifications could act and plead in district and subordinate courts.
 - **Mukhtars:** Mukhtars, after passing specific examinations, were mainly confined to practicing in criminal courts in the mofussil within subordinate courts.



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5. Advocates:

- Originally limited to English and Irish barristers, the term now encompasses Indian lawyers qualified to practice in domestic courts.
- Advocates on Record (AOR) must pass a Supreme Court qualifying exam after five years of enrollment, including one year of training with an AOR of at least five years standing.
- Filing specific legal documents in the Supreme Court is exclusive to Advocates on Record.

Climate Change Performance Index (CCPI) 2024

Context: India has been ranked seventh in climate performance during 2022, shows the report Climate Change Performance Index (CCPI) 2024

Climate Performance Rankings:

1. India secured the seventh rank in the 2022 Climate Change Performance Index (CCPI).
2. Effectively, India is considered fourth, as no country claimed the first three ranks in the 'very high' performance category.
3. This marks an improvement from the eighth position in the previous year's rankings.

Top Performers:

1. Denmark retained the top spot with a score of 75.59%.
2. Estonia and the Philippines claimed the second and third positions with scores of 72.07 and 70.70, respectively.
3. India closely followed with a score of 70.25%, compared to 67.35% the previous year.

Global Performance:

1. Most developed countries, including the United Kingdom, the United States, and Italy, fared poorly compared to the previous year.
2. Saudi Arabia ranked 67th, and the host country, the United Arab Emirates, occupied the 65th position.
3. The report emphasizes the urgency of reducing global greenhouse gases to meet the 1.5°C goal.

CCPI Assessment Criteria:

1. The CCPI assesses countries based on Greenhouse Gas Emissions (40%), Renewable Energy (20%), Energy Use (20%), and Climate Policy (20%).
2. Of the 64 countries assessed, 37 showed a decline in performance compared to the previous year.
3. Five countries maintained their positions, indicating minimal improvement globally.

India's Rankings in Specific Categories:

1. India ranked 9th in Greenhouse Gas Emissions and 10th in Energy Use, driven by a low per capita benchmark.
2. In Climate Policy, India secured the 10th position, while in Renewable Energy, it ranked 37th.
3. The high population of India positively influences its per capita energy use, contributing to its overall high climate performance ranking.

Concerns and Areas for Improvement:

1. India's heavy reliance on coal, along with oil and gas, remains a significant concern for greenhouse gas emissions and air pollution.
2. The report highlights India's efforts to meet its Nationally Determined Contribution (NDC) but notes that the transition to renewable energy is progressing slowly.
3. While India excels in GHG emissions and energy use categories, there is a need for accelerated progress in climate policy and renewable energy adoption.

BASIC Group and Other Countries:

1. Other members of the BASIC group, including China, Brazil, and South Africa, performed reasonably well.
2. China maintained its 51st position, Brazil improved by 15 positions, and South Africa slipped one position.
3. Among developed countries, Italy, the United Kingdom, France, Japan, and the United States experienced declines in their rankings, while Germany and the European Union showed marginal improvement.

Climate Change Performance Index

1. **Origin:** Germanwatch, the New Climate Institute, and the Climate Action Network collaboratively publish the Climate Change Performance Index (CCPI) annually since 2005.
2. **Focus:** This independent monitoring tool evaluates the climate protection performance of 59 countries and the European Union, encompassing over 92% of global Greenhouse Gas (GHG) emissions.
3. **Purpose:** The CCPI serves to bolster transparency in international climate politics, facilitating comparisons of climate protection efforts and progress among participating nations.
4. **Assessment Criteria:** The index employs four categories with 14 indicators, distributing weightage as follows - GHG Emissions (40%), Renewable Energy (20%), Energy Use (20%), and Climate Policy (20%).

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NEWS IN BETWEEN THE LINES

Mississippi River

Recently, the National Mission for Clean Ganga (NMCG) made a significant stride by signing a Memorandum of Common Purpose (MoCP) with the Mississippi River Cities and Towns Initiative (MRCTI).

About Mississippi River:

- The Mississippi River was formed by **glaciers that melted 12,000** years ago.
- It originates from **Lake Itasca** in northern Minnesota, emerging as a small stream and ends in the **Gulf of Mexico**.
- It is the **second longest river** in North America.
- The Major tributaries of the Mississippi River are the **Upper Mississippi, Arkansas, Illinois, Missouri, Ohio and Red** rivers.
- It is the **world's fourth longest river** system after Nile, Amazon and Yangtze.



Dodo



Recently, the Geneticists and conservationists have joined forces to re-introduce the Dodo, extinct since the late 17th century, to its once native habitat in the island of Mauritius.

About Dodo:

- The dodo (**Raphus Cucullatus**) is an extinct flightless bird that was native to Mauritius, an island in the Indian Ocean.
- It was a part of the genus **brisson** and the **Columbidae** family.
- Dutch sailors who first arrived in Mauritius in **1598** hunted dodos for meat.
- It is considered the ultimate symbol of human-induced extinction.
- The dodo was about three feet tall and weighed **22–40 pounds**.
- It was larger than a **turkey** and about the size of a **swan**.
- It had **blue-gray plumage, brown feathers** and a **white tail plume**.

God Flower



Recently, It has been seen that Taiwan's God Flower is vanishing because of climate change.

About the God Flower:

- The God Flower (**Dendrobium orchid**) is a yellow flower with a velvety orange-fringed center.
- It grows in clumps of 10 to 20 on glossy green canes in the misty **mountains of Alishan** in central Taiwan.
- The flower is said to be a gateway to the gods.
- It holds immense cultural and religious importance among the **indigenous Tsou people in Taiwan**.

GNoME



Recently, Google's DeepMind has developed GNoME, an AI tool predicting new material structures using a Graph Neural Network.

About GNoME:

- GNoME stands for **Graph Networks for Materials Exploration**.
- It is an Artificial Intelligence (AI) tool developed by **Google's DeepMind** laboratory.
- It is designed for predicting the structures of new materials.
- It is a **state-of-the-art Graph Neural Network (GNN)** model.
- The input data for GNoME takes the form of a graph, representing connections between atoms.
- It was originally trained on **crystal structure** data obtained from the materials project.
- It employs "**active learning**," a technique that allows the model to scale up from a small specialized dataset.
- This technique involves introducing new targets, enabling machine learning to label new data with human assistance.
- GNoME's predictions have implications for various sectors, including **renewable energy, battery research, semiconductor design** and **computing** efficiency.

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Place in News

Seychelles

Recently, Seychelles has declared state of emergency after explosion amid flooding.

Seychelles (Capital: Victoria)

- Seychelles is an archipelago of 115 islands nation in the Indian Ocean northeast of **Madagascar** and about 1,600 km east of **Kenya**.
- It's located at the eastern edge of the Somali Sea.

Boundaries: Seychelles shares maritime borders with island nations like **Comoros**, **Madagascar** and **Mauritius**.

Geographical features:

- The highest point in Seychelles is **Morne Seychellois**.
- **Aldabra** holds immense ecological importance, hosting a diverse range of flora and fauna, notably housing rare species such as **giant tortoises**.
- It encompasses both **coral islands** and **rocky landmasses**, featuring narrow coastlines along its diverse archipelago.
- It experiences a wet tropical climate characterized by consistent **humidity**, **high temperatures** and abundant rainfall throughout the year.



POINTS TO PONDER

- ❖ Which prestigious literary fellowship was recently awarded to the Bhutanese author Tshering Tashi by the Sahitya Akademi? - **Premchand Fellowship**
- ❖ Which two countries announced their exit from the Belt and Road Initiative in 2018 and 2023, respectively? - **Sierra Leone in 2018 and the Philippines in 2023**
- ❖ What is the cooling substance used by Small Modular Reactors (SMRs) for cooling, unlike conventional power plants? - **Helium**
- ❖ Which national park is connected to Satpura Tiger Reserve through corridor connectivity? - **Pench National Park**
- ❖ In which year was the Pradhan Mantri Uchchatar Shiksha Abhiyan (PM-USHA) launched? - **2013**

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