

## Current Affairs of the Day

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## NIA files chargesheet in Pulwama attack case

- More than a year after the Pulwama terror attack, in which 40 CRPF personnel were killed by a car-borne suicide bomber, the National Investigation Agency (NIA) on Tuesday filed a chargesheet, comprising more than 13,000 pages, in a Jammu court.
- The chargesheet said the attack, planned by Pakistan based terror group Jaish-e-Mohammad and the “Pakist-ani establishment”, had been in the making since 2016.

### Value Added Information

#### About NIA:

- It acts as the Central Counter Terrorism Law Enforcement Agency.
- It is empowered to deal with terror related crimes across states without special permission from the states.
- Established under the National Investigation Agency Act 2008. Governing Body: Ministry of Home Affairs.

#### Jurisdiction:

- A State Government may request the Central Government to hand over the investigation of a case to the NIA, provided the case has been registered for the offences as contained in the schedule to the NIA Act.
- Central Government can also order NIA to take over investigation of any scheduled offense anywhere in the India.

#### Composition:

- Officers of the NIA are drawn from the Indian Police Service and Indian Revenue Service.

#### Special NIA Courts:

- Various Special Courts have been notified by the Central Government of India for trial of the cases registered at various police stations of NIA under Section 11 and 22 of the NIA Act 2008. Any question as to the jurisdiction of these courts is decided by the Central Government.



- These are presided over by a judge appointed by the Central Government on the recommendation of the Chief Justice of the High Court with jurisdiction in that region.
- Supreme Court of India has also been empowered to transfer the cases from one special court to any other special court within or outside the state if the same is in the interest of justice in light of the prevailing circumstances in any particular state.
- The NIA Special Courts are empowered with all powers of the court of sessions under Code of Criminal Procedure, 1973 for trial of any offense.
- An appeal from any judgement, sentence or order, not being an interlocutory order, of a Special Court lies to the High Court both on facts and on law.
- State Governments have also been empowered to appoint one or more such special courts in their states.

## India to protest Pak. claims on terror at UN

- India will approach the **UN Security Council** President to bring to his notice a series of false claims levelled by Pakistan on terrorism, in one of the strongest responses by the Indian permanent mission so far.
- The note will also include the fact that Pakistan's UN Permanent Representative Munir Akram claimed to have addressed a UNSC debate on terrorism held on Monday, which was open only for Ambassadors of the 15 Security Council members, which don't include Pakistan.
- Earlier, Pakistan's mission to the UN had released a note it claimed was a "Statement by Ambassador Munir Akram, Permanent Representative of Pakistan to the United Nations, at the Open Debate of the Security Council on the Report of the Secretary-General on the Threats to International Peace and Security posed by Terrorism Actions" held on August 24.
- However, the meeting was only open to the five permanent and 10 non-permanent members of the UN Security Council.



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## Lodging protest:

- India is lodging its protest formally with the Indonesian Ambassador to the UN Dian Triansyah Djani, who chaired the UNSC meeting on terrorism, to discuss the latest report on Al Qaeda and ISIL (Islamic State) operations. These reports are provided every six months by the UN Secretary-General.
- This is not the first time Pakistan has tried to make allegations against India on the issue of terrorism. However, officials say they see a “pattern” in Pakistan’s recent statements, with a view to targeting India ahead of January 2021, when India will join as a non-permanent member for a two year term at the UN Security Council.
- In addition, Pakistan, that has been grey listed at the **Financial Action Task Force (FATF)**, is also trying to build a case given that India will face its routine scrutiny or “Mutual Evaluation Report” (MER) on terrorism financing and money laundering issues at FATF beginning February 2021, with a plenary discussion in October 2020.
- It is increasingly necessary to call out “falsehoods and inaccuracies” in each Pakistani statement, given the larger repercussions.

## Terror funding: ED files chargesheet against 12

- The **Enforcement Directorate (ED)** has filed a chargesheet against 12 persons in a terror funding case involving banned outfit Hizb-ul-Mujahideen. It had also requested for confiscation of attached properties worth ₹1.22 crore.
- The ED probe is based on an FIR registered by the National Investigation Agency (NIA) under the Unlawful Activities (Prevention) Act in October 2011.
- Among those arraigned is Hizb chief Syed Salahuddin. The accused were involved in the execution of blasts in Jammu and Kashmir.
- The funding was organised by the Jammu & Kashmir Affectees Relief Trust, “which was operating in connivance with the government of Pakistan and ISI”, the ED said.



## Value Added Information

### What is Enforcement Directorate (ED)?

The Directorate General of Economic Enforcement (Enforcement Directorate) is a law enforcement and economic intelligence agency responsible for enforcing economic laws and fighting economic crime in India.

1. It was formed with the purpose of handling Exchange Control Law violations under the Foreign Exchange Regulation Act, 1947.
2. Initially established under the Department of Economic Affairs in 1956 as an 'Enforcement Unit', it was later shifted to the Department of Revenue for administration in 1960.
3. It was renamed as the Enforcement Directorate (ED) in 1957.
4. Now, the Enforcement Directorate (ED) is administered by the Department of Revenue under the Ministry of Finance.
5. The ED has its headquarters in New Delhi and has many regional offices all over the country.
6. It is headed by the Director of Enforcement, who is an IRS officer (Indian Revenue Service).

### Functions of Enforcement Directorate (ED):

The functions of the Enforcement Directorate (ED) are listed in the table below:

Sr No	Functions of Enforcement Directorate (ED)
1	<p>Investigating violations of Foreign Exchange Management Act (FEMA) laws and provisions.</p> <p>Designated ED Officials adjudicate FEMA violations.</p> <p>Penalties up to three times the sum involved can be imposed.</p>



2	<p>Investigating offences of Prevention of Money Laundering Act, 2002 (PMLA) laws and provisions.</p> <p>ED has the power to attach the assets of the culprits found guilty of violation of FEMA. “Attachment of the assets” means prohibition of transfer, conversion, disposition or movement of property by an order issued under Chapter III of the Money Laundering Act.</p>
3	<p>Processing cases of fugitive/s from India under the Fugitive Economic Offenders Act, 2018.</p> <p>Offenders choose to stay outside the country and its jurisdiction to protect themselves.</p> <p>This Act allows Economic Offenders from evading the law and preserves the sanctity of the justice system in the country.</p>
4	<p>Adjudicating show cause notices issued under the repealed FERA (Foreign Exchange Regulation Act, 1973).</p>
5	<p>Sponsoring cases of Preventive Detention under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA) with respect to FEMA violations.</p>
6	<p>Rendering cooperation to foreign countries in matters related to money laundering and restoration of assets under the PMLA provisions.</p>

## NGT slams Ministry's report on clean air programme

- The National Green Tribunal has slammed the Ministry of Environment and Forests (MoEF) over its report on the National Clean Air Programme (NCAP) which proposes 20-30% reduction of air pollution by 2024.



## NGT Observation:

- The NGT disapproved the submission of the MoEF that a committee, upon further deliberation, has concluded that 20-30% pollutant reduction under the NCAP seems realistic.
- It said the MoEF's view was against the constitutional mandate under Article 21.
- A Bench headed by NGT Chairperson Justice A.K. Goel said the MoEF's stand that pollution could not be controlled except to the extent of certain percentage was directly hit by the constitutional and statutory mandate.
- **Right to Clean Air stood recognised as part of Right to Life and failure to address air pollution was denial of Right to Life**, the Bench said.
- The tribunal said the enforcement of 'Sustainable Development' principle and 'Public Trust Doctrine' required stern measures to be adopted to give effect to the mandate of international obligations for which the Environment (Protection) Act, 1986 and other laws had been enacted.

## China floats BRICS 5G base as India mulls ban

### Key points:

- China has proposed the creation of what it calls a 'BRICS innovation base' to take forward 5G and Artificial Intelligence (AI) cooperation among the five countries, as their industry ministers met virtually on Monday.
- China's Minister of Industry and Information Technology Xiao Yaqing "urged fellow nations, including India, to boost cooperation in areas including 5G and AI", Chinese media reported, adding that China was "actively considering the establishment of a BRICS innovation base in China, in order to strengthen practical cooperation with the BRICS".
- The move could pose an awkward question for India, which is the only country in the grouping that is leaning towards excluding Chinese participation in the roll-out of its national 5G network.
- Russia has said it would work with China on 5G, with Foreign Minister Sergei Lavrov saying this month they were open to working with Chinese telecommunications firm Huawei, which has been largely banned by the United States.



## South Africa, Brazil:

- In South Africa, Huawei is providing services to three of its telecom operators in the roll-out of their 5G networks. Brazil has allowed participation in trials but is yet to take a final call, although Vice President Hamilton Mourao indicated they would likely allow Huawei considering that “more than a third” of Brazil’s 4G network operators use Huawei equipment.
- India is unlikely to allow Chinese participation in 5G, particularly in the wake of recent moves to tighten investment from China and to ban 59 Chinese apps, citing national security concerns. The ban, which followed the June clash in Galwan Valley, cited a “threat to the sovereignty and integrity of India” posed by the apps.

## Possible military ties:

- Indian intelligence assessments have also expressed concerns on the possible direct or indirect links of several Chinese companies, including Huawei, with the Chinese military.
- India has made clear a return to normalcy cannot be possible while tensions along the Line of Actual Control remain unresolved.

## ICICI to use satellites for farm credit

### Key Points:

- ICICI Bank has announced the introduction of usage of satellite data-imagery from earth observation satellites—to assess credit worthiness of its customers belonging to the farm sector.
- The bank, the first in India and among a few globally to do so, will use the data to measure an array of parameters related to the land, irrigation and crop patterns and in combination with demographic and financial parameters to make faster lending decisions for farmers.

### Significance:

- Use of technology helps farmers with existing credit to enhance their eligibility, while new-to-credit farmers can now get better access to credit.
- Since land verification is done in a contactless manner, credit assessments take only a few days as against the industry practice of up to 15 days.