



Current Affairs of the Day

GS Paper II

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- The Bay of Bengal, fomenting Yaas, hotter than normal for the season
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Panel to define offences of speech, expression

A panel constituted by the Union Home Ministry to suggest reforms to the British-era Indian Penal Code (IPC) is likely to propose a separate Section on “offences relating to speech and expression.”

Highlights:

1. As there is no clear definition of what constitutes a “hate speech” in the IPC, the Committee for Reforms in Criminal Laws is attempting for the first time to define such speech.
2. Legally speaking, for criminal Sections to be invoked, any such speech has to lead to violence or disturbance of law and order. We will refrain from using the word ‘hate speech’ as it is a loaded term, merely criticising someone is not hate speech.

Bureau’s definition

1. The Bureau of Police Research and Development recently published a manual for investigating agencies on cyber harassment cases that defined hate speech as a “language that denigrates, insults, threatens or targets an individual based on their identity and other traits (such as sexual orientation or disability or religion etc.).”
2. Earlier in 2018, the Home Ministry had written to the Law Commission to prepare a distinct law for online “hate speech” acting on a report by a committee headed by former Lok Sabha Secretary General T.K. Viswanathan recommended stricter laws.
3. The committee was formed in the wake of Section 66A of the Information Technology Act, 2000, which provided punishment for sending offensive messages through communication services being scrapped by the Supreme Court in 2015.
4. In 2019, however, the Ministry decided to overhaul the IPC, framed in 1860 and the Code of Criminal Procedure (CrPC) after seeking suggestions from States, the Supreme Court, High Courts, the Bar Council of India, Bar Councils of States, universities and law institutes on comprehensive amendments to criminal laws.
5. The suggestions received by the Committee for Reforms in Criminal Laws will be examined by the Ministry before the changes are adopted.



CJI made 'statement of law' at CBI panel

Chief Justice of India N.V. Ramana's opinion in the high-level committee to avoid officers with less than six months left to retire for appointment as CBI Director is a simple "statement of the law".

Highlights:

1. The CJI was clear during the meeting chaired by the Prime Minister and attended by Adhir Ranjan Chowdhury, leader of the largest Opposition party, that the committee's selection of officers should be able to withstand the "scrutiny of law in the future".
2. For this, officers with a "few days left" in service should not be considered. In this context, 10 of the senior-most officers of the 1984 batch, scheduled to retire soon, were not considered.
3. The six-month minimum residual tenure rule was introduced by the Supreme Court in a March 13, 2019 order. Though the order in the Prakash Singh case pertained to the appointment of DGPs, it was extended to CBI Director too.
4. The apex court had indicated the possibility that officers with only a few days of service may be in an insecure state of mind.
5. In the Prakash Singh case, the Supreme Court had stressed the point that the appointment of DGPs should be purely on the basis of merit and to insulate the office from all kinds of influences and pressures.
6. As of date, the CBI has jurisdiction to investigate offences pertaining to 69 Central laws, 18 State Acts and 231 offences in the IPC. The Director is to hold the post for not less than two years as held by the Vineet Narain judgment of 1998. He/she may not be transferred except with the previous consent of the high-level committee.
7. The CJI had also studied a Supreme Court judgment, Union of India versus C. Dinakar, reported in 2004, in the context of the appointment process.
8. In this, the apex court had held that "ordinarily IPS officers of the senior-most four batches in service on the date of retirement of CBI Director, irrespective of their empanelment, shall be eligible for consideration for appointment to the post of CBI Director".



Over 13 lakh evacuated as Yaas races towards Odisha coastline

Wind speeds of 165 kmph expected during landfall today; Bengal may also be hit.

Highlights:

1. Several thousands of people in the coastal districts of Odisha are bracing for the impact of the very severe cyclonic storm, Yaas, which is set to hit the coast with wind speeds of 155-165 kmph.
2. People have been evacuated and given shelter in cyclone shelters of the States.
3. Storm surge is a matter of concern because the cyclone will coincide with the full moon tide and the water level in the seas and river may rise further leading to breach of embankments.

The Bay of Bengal, fomenting Yaas, hotter than normal for the season

Climate scientists say the Bay of Bengal, where Cyclone 'Yaas' has formed, is at least two degrees warmer than what is normal for this time of the year. "The North Bay of Bengal is exceptionally warm with temperatures up to 32 degrees Celsius. Distance to landfall is short, preventing it from drawing that energy and intensifying into an extremely severe cyclone.

Highlights:

1. Generally, cyclones in the Bay of Bengal are ferocious and cause significant devastation. Amphan was a super cyclone that ravaged West Bengal in March last year. It was the strongest storm that hit India's eastern coast since the super cyclone of 1999, that struck Paradip, Odisha. Before Amphan, Fani in 2019 also hit Odisha, causing immense damage that lasted weeks.
2. Cyclones in the Bay of Bengal are not unexpected in May and result from increased ocean surface temperatures. The formation of storms in this period is favourable for drawing in the monsoon into the Andamans and subsequently to the Kerala coast.
3. Researchers have pointed to trends that suggest a relative decrease in the number of cyclones in the Bay of Bengal and a rise in the Arabian Sea.



4. About 60% of the cyclones that form in these seas make landfall in India causing damage and devastation, according to data from the Earth Sciences Ministry.

New IT rules come into force today; will comply, says FB

While the new stricter rules for social media intermediaries such as Facebook, WhatsApp, Google, Twitter and Telegram come into effect a majority of platforms are yet to fully comply with 'The Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code) Rules, 2021'.

Highlights:

1. There is no clarity on the immediate consequences of non-compliance. However, experts say these companies could lose the 'safe harbour' protection that currently gives them protection against liability (civil as well as criminal) for content posted on their platform by third party users.
2. In reply to a query, social media giant Facebook said it "aims to comply" with the provisions of the revised IT Rules and continues to discuss a few of the issues which need more engagement with the government.
3. Pursuant to the IT Rules, we are working to implement operational processes and improve efficiencies. Facebook remains committed to people's ability to freely and safely express themselves on our platform.
4. The new rules are a set of compliances which the intermediaries have to abide by in order to keep the safe harbour protection intact.
5. The primary consequence of non-compliance would be that significant social media intermediaries would end up losing the safe harbour protection granted to them under Section 79 of the IT Act.
6. This could open up an entire plethora of unpleasant possibilities. It could leave Intermediaries open to incurring liability (civil as well as criminal) for the acts done by third party users.
7. The exact scope of criminal liability that these platforms would have to face, is something one will have to wait and see.
8. Since the state is the prosecuting agency for criminal cases, it will depend on how the Central government and the State governments will initiate action against SSMIs before the courts. In the past, we have seen employees of social



media companies being named in FIRs and criminal prosecution being initiated against them.

9. He added that non-compliance with the rules could give more ammunition to prosecution agencies in all such cases and could dent safe harbour protection even further.

EU leaders agree to donate 100 mn doses of vaccines

EU leaders agreed to donate at least 100 million doses of COVID-19 vaccines to poorer nations by the end of the year as supplies steadily rise across Europe.

Highlights:

1. The 27 leaders backed a text in which they pledge to continue efforts to increase global vaccine production capacities in order to meet global needs. The leaders also pledged to help countries in need to develop vaccine production locally.
2. Leaders also called “for work to be stepped up to ensure global equitable access to COVID-19 vaccines” and reiterated their support for the UN-backed COVAX programme. COVAX aims to ensure equitable access to COVID-19 shots for low-and middle-income countries.
3. The programme suffered a major setback when its biggest supplier, the Serum Institute of India, announced it would likely not export any more vaccines until the end of the year due to the COVID-19 crisis in the subcontinent.

‘WHO nod for Covaxin likely in July-Sept.’

Bharat Biotech expects to receive regulatory approvals from the World Health Organization (WHO) for Covaxin in the July-September quarter.

Highlights:

1. It had already submitted an application to the WHO seeking Emergency Use Listing for the vaccine.
2. Regulatory approvals for the vaccine are in process in more than 60 countries, the firm said. Emergency use authorisations were obtained in 13 countries with more set to follow.
3. Meanwhile, Bharat Biotech’s partner in the U.S. Ocugen Inc. said it had submitted Master File as part of the process to get emergency use authorisation for the COVID-19 vaccine from the U.S. FDA.