**The Hindu News Analysis – 29th December 2019 – Shankar IAS Academy**

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*C – Chennai; B – Bengaluru; D – Delhi; T – Thiruvananthapuram; H – Hyderabad*
Protecting minors

In the context of protests against the Citizenship (Amendment) Act, 2019, and the detention of minors in some instances, what does the law say about such detentions by the police?

What role do commissions play?

The practice of detaining children by the police has been a matter of concern for many years. The practice has been widespread, and the detention of children has often been arbitrary and without due process. The police have been shown to use excessive force and to abuse children in their custody. The commissions play a crucial role in ensuring that the rights of children are protected and that the police are held accountable for their actions.

What does the Juvenile Justice Act say about detention of minors?

The Juvenile Justice Act, 2000, provides for the detention of children who are alleged to have committed an offence. The Act states that a child shall not be detained in a police lock-up or lodge unless it is necessary for the investigation of the case. The Act also provides for the placement of a child in a juvenile home or other institution if it is necessary for the child's welfare.

National Commission for Protection of Child Rights (NCPCR)

- Statutory body - under Commission for Protection of Child Rights Act, 2005 ( CPCR Act)
- Under Ministry of Women & Child Development
- Objective → protect, promote and defend child rights in India; including UN Convention on Rights of Child - 1989
- Focus on Principle of Universality and Inviolability of child rights

Part A—Preliminary Examination

Paper 1 - (200 marks)

- Current events of national and international importance
- Indian Polity and Governance-Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER III

General Studies-II: Governance, Constitution, Polity, Social Justice and International relations.

- Statutory, regulatory and various quasi-judicial bodies
- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.
- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

Minors detained during protests against CAA, 2019

Juvenile Justice (Care and Protection of Children) Act, 2015

to deal with children, alleged and found to be in conflict with law and children in need of care and protection.

Section 10 : Procedure of apprehension of a child alleged to be in conflict with law
CHAPTER III
FUNCTIONS AND POWERS OF THE COMMISSION

13. Functions of Commission.—(1) The Commission shall perform all or any of the following functions, namely:—

(a) examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;

(b) present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;

(c) inquire into violation of child rights and recommend initiation of proceedings in such cases;

(d) examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;

(e) look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;

(f) study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;

(g) undertake and promote research in the field of child rights;

(h) spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;

(i) inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organisation; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;

(j) inquire into complaints and take suo motu notice of matters relating to,—

(i) deprivation and violation of child rights;

(ii) non-implementation of laws providing for protection and development of children;

(iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities; and
14. Powers relating to inquiries.—(1) The Commission shall, while inquiring into any matter referred to in clause (i) of sub-section (1) of section 13 have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) and, in particular, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;
(b) discovery and production of any document;
(c) receiving evidence on affidavits;
(d) requisitioning any public record or copy thereof from any court or office; and
(e) issuing commissions for the examination of witnesses or documents.

(2) The Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973 (2 of 1974).

15. Steps after inquiry.—The Commission may take any of the following steps upon the completion of an inquiry held under this Act, namely:—

(i) where the inquiry discloses, the Commission of violation of child rights of a serious nature or contravention of provisions of any law for the time being in force, it may recommend to the concerned Government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;
(ii) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;
(iii) recommend to the concerned Government or authority for the grant of such interim relief to the victim or the members of his family as the Commission may consider necessary.

⇒ NCPCR advisory against use of children for unlawful activities

⇒ Section 83(2) of JJ Act, 2015

⇒ "any adult or an adult group using children for illegal activities either individually or as a gang shall be liable for rigorous imprisonment..."
Tests for unmanned mission by 2020-end, says ISRO chief

SPECIAL CORRESPONDENT

The Indian Space Research Organisation (ISRO) plans to fly the first unmanned test mission ahead of its ambitious crewed Gaganyaan mission by the end of 2020, ISRO Chairman K. Sivan said here on Saturday.

The unmanned flight will carry a humanoid, Mr. Sivan said. “This is the plan. The tests required for the unmanned mission will take place next year. We are hoping to carry it out by next year-end,” he said.

He was speaking after inaugurating a felicitation organised by the Aeronautical Society of India (ASI) to ISRO scientists to celebrate the 50th PSLV flight. The launch vehicle completed its 50th mission (PSLV-c48) on December 2.

The ISRO had announced plans for a December 2020 launch for the crewed Gaganyaan mission.

“The selection process is nearing completion. Their training will start soon,” he said.

Chandrayaan-3 would be a copy of Chandrayaan-2, except that it would not carry an orbiter. It would have a rover and a lander. “We are working on that. There will be no orbiter. Otherwise it will be the same as Chandrayaan-2,” he said.

The ISRO hoped to complete the 100th mission of its reliable workhorse Polar Satellite Launch Vehicle by 2024, he said.

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**Part A—Preliminary Examination**

**Paper I—(200 marks)**

- Current events of national and international importance.
- General Science.

**Part B—Main Examination**

**PAPER-IV**

**General Studies-III: Technology, Economic Development, Bio diversity, Environment, Security and Disaster Management**

- Science and Technology- developments and their applications and effects in everyday life.
- Achievements of Indians in science & technology: indigenization of technology and developing new technology.
- Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-technology and issues relating to intellectual property rights.

**News**

- ISRO plans to carry out the 1st unmanned test mission to space by the end of 2020, before executing the manned Gaganyaan mission.
  - The unmanned flight will carry a humanoid.

**Gaganyaan Mission**

- Gagan = “space” ; yaan = “vehicle”
- First Human space mission of ISRO
- to be implemented by the Human Space Flight Centre, ISRO, Bengaluru

- Three Indian Astronauts will be sent to space for five to seven days - to carry out research at the micro-gravity conditions in space.
- Spacecraft will be placed in LEO of 300-400 km.

**Chandrayaan-3**

- Would not carry an orbiter.
- Expected to attempt soft landing on Moon (by Nov. 2020)
Practice Question – Prelims

Q. With reference to ISRO’s Gaganyaan mission, which of the following statements is/are correct?

1. It is the first human space mission of ISRO.
2. It aims to send Indian astronauts to the Low Earth Orbit of 300 to 400 km.
3. ISRO’s workhorse Polar Satellite Launch Vehicle is designated to launch the mission.

Select the correct answer using the code given below:

a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1, 2 and 3
Movement of Foreigners in India

⇒ Central Govt.

* The Foreigners Act, 1946
  * Sec 3 (1) - Power of the Central Govt. to make orders on the presence of the foreigners
  * Sec 3 (2) (c) - Power of the Central Govt. to deport foreign nationals staying illegally in India
  * Sec 3 (a) (e) - C. Govt. can issue an order to direct the foreigner to reside in a particular place and impose any restriction on his movements

⇒ State Govt.

258. Power of the Union to confer powers, etc., on States in certain cases.—(1) Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends.

⇒ Direction by Centre to the States

* 2009 - To set up sufficient number of detention centres
* Jan 2019 - Manual on “Model Detention Centres”

Status of Detention Centres in India:

* Present - Delhi, Goa, Rajasthan
* New centres by 2020 - Karnataka, Punjab
* Plan to build; but project put on hold - Kerala, West Bengal
* Assam - 6 detention camps; one new detention centre coming up at Goalpara

Issues related to Foreigners Tribunals in Assam

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<td>Matters referred</td>
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<td>Persons declared foreigners</td>
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* Additional tribunals sanctioned by MHA to handle large number of applications post NRC exercise
Practice Question – Prelims

Q. Consider the following statements.

1. The President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends.

2. ‘Foreign Affairs’ is an entry in the Concurrent list of Schedule 7 of Indian Constitution.

Which of the statements mentioned above is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2
Circumstances that led to the formation of INC

- Formation of many political associations since 1850s → Largely regional in nature
- 1878 → Arms Act, Vernacular Press Act
- 1883 → Ilbert Bill Controversy
  - Trial of British or European persons by Indians
  - Equality between Indian & British judges
- Need for all- Indian organisation as felt by educated Indians

INC - Indian National Congress

- Established on 28th December, 1885
- Meeting of 72 delegates at Bombay
- 1st President – W.C. Bonnerji
- A.O. Hume → retired British official
  - Played role in bringing Indians from various regions together

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<th>Year</th>
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<td>1885</td>
<td>Bombay</td>
<td>Womesh Chandra Bonnerji</td>
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<td>1886</td>
<td>Calcutta</td>
<td>Dadabhai Naoroji</td>
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<td>1887</td>
<td>Madras</td>
<td>Syed Badruddin Tyabji</td>
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Previous Year Question – Prelims 2012

Q. The Lahore Session of the Indian National Congress (1929) is very important in history, because

1. The Congress passed a resolution demanding complete independence.
2. The rift between the extremists and moderates was resolved in that Session.
3. A resolution was passed rejecting the two-nation theory in that Session.

Which of the statements given above is/are correct?

a) 1 only (Correct)
b) 2 and 3
c) 1 and 3
d) None of the above

Previous Year Question – Prelims 2013

Q. The Ilbert Bill controversy was related to the

a) Imposition of certain restrictions to carry arms by the Indians.
b) Imposition of restrictions on newspapers and magazines published in Indian languages.
c) Removal of disqualifications imposed on the Indian magistrates with regard to the trial of the Europeans. (Correct)
d) Removal of a duty on imported cotton cloth.
Previous Year Question – Prelims 2014
Q. The 1929 Session of Indian National Congress is on significance in the history of the Freedom Movement because the
a) Attainment of Self-Government was declared as the objective of the Congress.
b) *Attainment of Poorna Swaraj was adopted as the goal of the Congress.* (Correct)
c) Non-Cooperation Movement was launched.
d) Decision to participate in the Round Table Conference in London was taken.

Previous Year Question – Prelims 2015
Q. Consider the following statements:

1. The first woman President of the Indian National Congress was Sarojini Naidu.
2. The first Muslim President of the Indian National Congress was Badruddin Tyabji.

Which of the statements given above is/are correct?

a) 1 only
b) **2 only (Correct)**
c) Both 1 and 2
d) Neither 1 nor 2

Practice Question – Prelims
Q. Consider the following statements.

1. Indian National Congress was formed on 28th December 1885.

2. The first session of Indian National Congress was held in Kolkata, in the year 1885, presided by Womesh Chandra Bonnerjee.

Which of the above statement(s) is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2
Practice Question – Prelims

Q1. Consider the following statements.

1. The President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends.

2. ‘Foreign Affairs’ is an entry in the Concurrent list of Schedule 7 of Indian Constitution.

Which of the statements mentioned above is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2
Practice Question – Prelims

Q2. Consider the following statements.
1. Indian National Congress was formed on 28th December 1885.
2. The first session of Indian National Congress was held in Kolkata, in the year 1885, presided by Womesh Chandra Bonnerjee.

Which of the above statement(s) is/are correct?
   a) 1 only
   b) 2 only
   c) Both 1 and 2
   d) Neither 1 nor 2

Practice Question – Prelims

Q3. With reference to ISRO’s Gaganyaan mission, which of the following statements is/are correct?
1. It is the first human space mission of ISRO.
2. It aims to send Indian astronauts to the Low Earth Orbit of 300 to 400 km.
3. ISRO’s workhorse Polar Satellite Launch Vehicle is designated to launch the mission.

Select the correct answer using the code given below:
   a) 1 only
   b) 1 and 2 only
   c) 2 and 3 only
   d) 1, 2 and 3
Practice Question – Prelims
29-12-2019
Answers
Q1. Option ‘a’ – 1 only
Q2. Option ‘a’ – 1 only
Q3. Option ‘b’ – 1 and 2 only

LIKE, COMMENT & SHARE

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