



UPSC CURRENT AFFAIRS NOTES 14-12-2023

House approves impeachment inquiry into US President Biden

The US House has approved an impeachment inquiry into United States President Joe Biden and his family.

This was after Republicans raised allegations against his son Hunter Biden for profiting in business dealings with foreign entities.

Impeaching a US President

About

Impeachment is a process that involves a legislative body or tribunal charging a public official with misconduct.

Under the US Constitution, the President can be removed from office for “treason, bribery, or other high crimes and misdemeanors.” However, these terms have not been defined.

Criminal charges cannot be brought against a sitting President.

However, the Constitution does allow for separate criminal charges once a president is removed.

It is a process that involves both political and legal elements.

Process

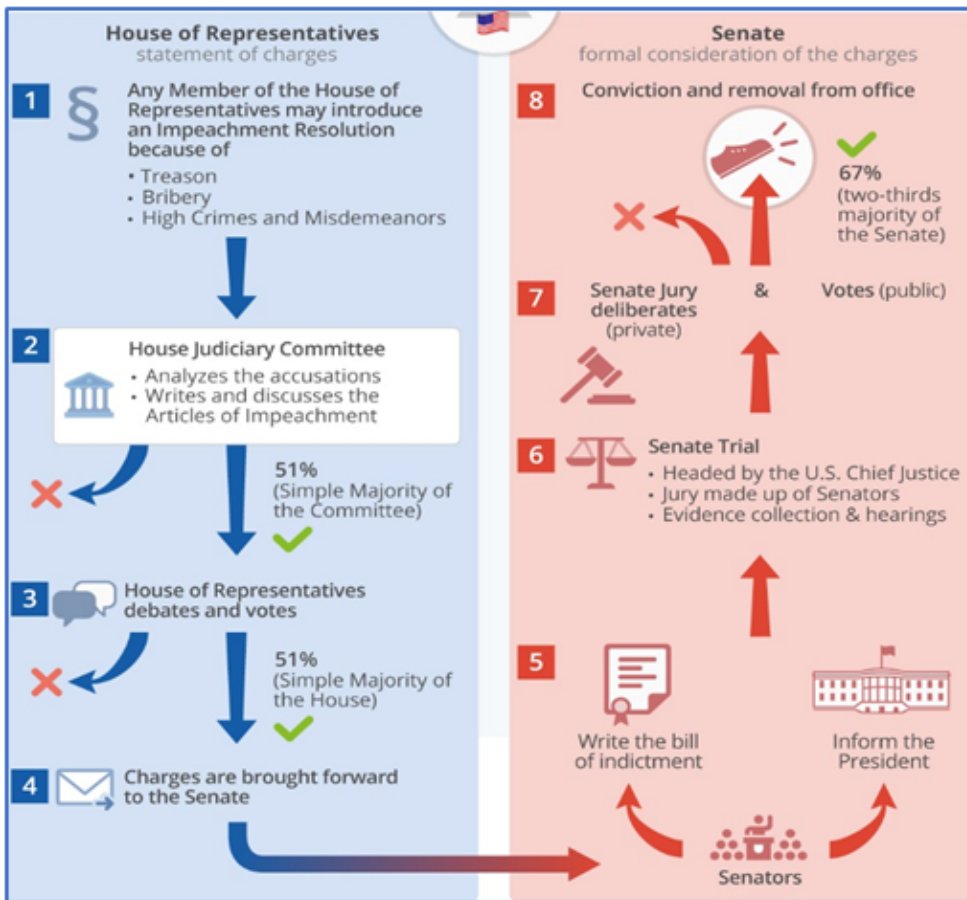
The process of impeachment has to be started by the House of Representatives (Lower House) and only needs a simple majority (out of total 435 votes) to pass.

If the House approves articles of impeachment, or impeaches a president, he or she would then be subject to trial in the US Senate.

The trial will be held in the Senate (Upper House) as it has the sole power to try all impeachments.

Here, a two-thirds vote (out of total 100 votes) is necessary for removal.

The Chief Justice of the US Supreme Court has the duty of presiding over impeachment trials in the Senate.



History of Impeachment in US

So far, no US President has been removed from its post as a result of impeachment.

The presidents impeached by the House were:

Andrew Johnson in 1868;

Bill Clinton in 1998;

Donald John Trump in 2019 and 2021.

Richard Nixon, the 37th President of the United States, faced the threat of impeachment in the context of the Watergate scandal. Instead of going through the impeachment process, Nixon chose to resign from office.

News Summary: House approves impeachment inquiry into US President Biden

Republicans in the US House voted to formally authorize an impeachment inquiry into President Joe Biden.

What is the case against Biden and his son?

The Republicans have alleged that the President's son Hunter Biden had been profiting in business dealings with foreign entities by managing access to the then-Vice President and his father Biden, who also, allegedly, profited from the same.

Hunter Biden is already facing criminal charges in two other cases:

He is charged with firearm counts in Delaware, allegedly for breaking laws against drug users possessing guns in the year 2018, and

He is charged by United States Special Counsel David Weiss, alleging he failed to pay about \$1.4 million in taxes over three years.

What is an impeachment inquiry, and what does it lead to?

The impeachment inquiry is an official process to impeach federal officials, including the president, based on charges like treason, bribery, and other serious offenses, as stated in the United States Constitution.

This inquiry is a formal step that could result in consequences for a president, such as removal from office, if found guilty in a Senate trial.

14 Opposition MPs suspended

14 opposition MPs (13 from the Lok Sabha and one from the Rajya Sabha) were suspended after they protested against a security breach in the parliament.

The security breach occurred when two intruders entered the House chamber from the visitor gallery during Zero Hour on the 22nd anniversary of the Parliament terror attack (December 13, 2001).

The factors that contributed to the recent Lok Sabha security breach were:

Fewer security staff,



Reduced height of the visitors' gallery from the House floor in the new Parliament building,

An increase in the number of visitors of late, and shoes not being checked.

The MPs were suspended for unruly conduct. They have been suspended for the remainder of the winter session of Parliament.

Suspension of MPs – About, corresponding rules, court's intervention

It is the role and duty of the Presiding Officer — Speaker of Lok Sabha and Chairman of Rajya Sabha — to maintain order so that the House can function smoothly.

In order to ensure that proceedings are conducted in the proper manner, the Speaker/ Chairman is empowered to force a Member to withdraw from the House.

Rules under which the Presiding Officer/Chairman acts

For Lok Sabha

Rule Number 373 of the Rules of Procedure and Conduct of Business

It empowers presiding officers to direct an MP to withdraw from the House for any disorderly conduct.

This rule says that any Member so ordered to withdraw shall remain absent during the remainder of the day's sitting.

Rules 374 and 374A- To deal with more recalcitrant Members.

Rule 374 empowers the Presiding officers to name the legislators if the MP continues disrupting the House even after repeated warnings.

After that, the House can move a motion to suspend the MP for a period not exceeding the remainder of the session

Rule 374A was incorporated in the Rule Book in December 2001. The intention was to circumvent the necessity of adopting a motion for suspension.

Under this rule, the Speaker can name an MP, who shall then automatically stand suspended for five days or the remaining part of the session.



For Rajya Sabha

Rule 255 of the Rule Book of Rajya Sabha

It empowers the Chairman of Rajya Sabha to direct any Member to withdraw immediately from the House for any disorderly conduct.

Rule 256

This rule empowers the Chairman to name the members who persistently disregards the authority of the Chair or abuses the rules of the Council.

After that, the House may adopt a motion suspending the Member for a period not exceeding the remainder of the session.

It should be noted that, unlike Lok Sabha (under rule 374A), Rajya Sabha can not suspend its members without passing a motion for the same.

Can courts intervene in a matter of suspension of MPs?

Article 122 of the Indian Constitution says parliamentary proceedings cannot be questioned before a court.

In some cases, however, courts have intervened in the procedural functioning of legislatures.

For example, the Maharashtra Legislative Assembly passed a resolution in its 2021 Monsoon Session suspending 12 BJP MLAs for a year.

The matter came before the Supreme Court, which held that the resolution was ineffective in law beyond the remainder of the Monsoon Session.

News Summary: 14 Opposition MPs suspended

The total number of MPs suspended for the remainder of the winter session of Parliament stands at 14. As per the Parliamentary Affairs Minister:

The Speaker had proposed at a meeting of the Business Advisory Committee that the members have to work with a fresh resolve of not showing placards in the House.

This proposal was unanimously agreed to. Nobody had opposed it.

However, 13 MPs violated the decision taken at the BAC meeting and brought placards to the House and hence, were suspended.



Before their suspension, the MPs moved into the Well of the House raising slogans to demand a statement from the government on the security breach.

What is Vyom Mitra?

The Minister of Science and Technology recently announced that India is set to launch Vyommitra, a female robot astronaut, into space as part of the ambitious Gaganyaan project.

About Vyommitra:

Vyommitra is a combination of two Sanskrit words Vyoma (Space) and Mitra (Friend).

It is a female robot designed and developed by the ISRO to fly aboard unmanned test missions ahead of the Gaganyaan human spaceflight mission.

It is referred to as a half-humanoid robot as she doesn't have legs. However, she can bend forward and sideways.

Besides going on uncrewed Gaganyaan missions, she will accompany astronauts on manned missions too.

Features:

The AI-enabled robot, which can withstand vibrations and shock during the flight, has been designed to resemble a human with facial expressions, speech, and sight capabilities.

It is equipped with the capability to monitor module parameters, issue alerts, and execute life support operations.

It can perform tasks such as operating switch panels, and serving as a companion to astronauts, engaging in conversations, recognising them, and responding to their inquiries.

What is the Gaganyaan mission?

Under the Gaganyaan Mission, ISRO will be sending three humans to an orbit of 400 km for a 3-day mission and bringing them back safely to Earth.



Launch Vehicle: The Mark-3 (LVM3/GSLV Mk3) rocket, the well-proven and reliable heavy lift launcher of ISRO, is identified as the launch vehicle for the Gaganyaan mission.

The Astronaut Training Facility established in Bengaluru provides a comprehensive training program for astronauts preparing for the Gaganyaan mission.

Organization of Islamic Cooperation (OIC)

India recently rejected a statement issued by the OIC on a judgement of the Supreme Court upholding the abrogation of Article 370 that guaranteed special status to Jammu and Kashmir.

About the Organization of Islamic Cooperation (OIC):

It is the second-largest organisation in the world after the United Nations, with a collective population reaching over 1.8 billion.

It was established in September 1969 upon a decision of the historical summit that took place in Rabat, Kingdom of Morocco, on September 25, 1969, as a result of the criminal arson of Al-Aqsa Mosque in occupied Jerusalem.

The OIC is the collective voice of the Muslim world to ensure and safeguard their interests in economic, social, and political areas.

Objective: It aims to preserve Islamic values, safeguard and defend the national sovereignty and independence of member states, and contribute to international peace and security.

It has a membership of 57 states spread over four continents.

Headquarters: Jeddah, Saudi Arabia.

Official languages: Arabic, English, and French.

Anthrax

Recently, the World Health Organisation (WHO) has reported a significant anthrax outbreak in Zambia, marking an alarming spread of the disease across nine out of the country's ten provinces.

Cinereous Vulture

The cinereous vulture (*Aegypius monachus*) has been sighted at the Asola Bhatti Wildlife Sanctuary.



The cinereous vulture (*Aegypius monachus*) belongs to the family Accipitridae.

These cinereous vulture species are distributed in Europe, Asia and the Indian Subcontinent.

Description

The cinereous vulture is a large bird, measuring 100 to 110 cm in length and weighing 7,000 to 12,500 grams.

The wingspan is 250 to 300 cm. The whole body is dark brown, except the head is covered with brown down.

The bare skin in the head and neck is bluish grey. The adult has brown eyes and a purplish cere.

The bill is massive and is blue-gray in color. The legs are pale blue-gray.

Their sounds and calls include grunts, croaks and hisses when feeding on carcasses.

Habitat

The cinereous vultures inhabit hilly, mountainous areas, dry semi-open habitats such as meadows at high altitudes, steppe, grasslands and open woodlands.



Feeding habits

These cinereous vulture species feed on carcasses of medium sized and large mammals.

They may occasionally take live prey. They soar high on the thermals to locate dead animals.

Breeding

These cinereous vulture species breed during February and March. They breed in loose colonies in trees and cliff ledges.

The nest is built with sticks and twigs. The egg clutch typically contains only a single egg.

Both the parents take part in the rearing of the chick.

Distribution

The cinereous vulture is distributed in France, Spain, Bulgaria, Greece, Turkey, Armenia, Azerbaijan, Georgia, Ukraine, Russia, Uzbekistan, Kazakhstan, Tajikistan, Turkmenistan, Kyrgyzstan, Saudi Arabia, Middle East, Iran, Afghanistan, north India, northern Pakistan, Nepal, Bhutan, Myanmar, Laos, Mongolia, China, North Korea and South Korea.

Movement Patterns

The adult cinereous vulture populations in Europe are mostly sedentary.

The populations in temperate Asia migrate southwards for wintering.

Threats

Shooting, poisoning, use of veterinary diclofenac (anti-inflammatory drug), decrease in food availability and habitat loss are the main threats in the conservation of these species.

Status and conservation

The cinereous vulture global population is estimated to number 21,000 to 30,000 individual birds.

There is a slight increase in the European population.

There is a decline in the Asian population.



The IUCN (International Union for Conservation of Nature) has categorized and evaluated these vulture species and has listed them as "Near Threatened".

REVISED CRIMINAL REFORM BILLS

The revised versions of Bharatiya Nyaya Sanhita, Bhartiya Nagrik Suraksha Sanhita, and Bharatiya Sakshya Bill were reintroduced in Parliament after undergoing amendments suggested by the Parliamentary Standing Committee on Home Affairs.

Details

The Union Government introduced three Bills in Lok Sabha in August 2023, to replace the Indian Penal Code (IPC), 1860; the Code of Criminal Procedure, 1973 (originally enacted in 1898); and the Indian Evidence Act, 1872.

The new Bills—Bharatiya Nyaya Sanhita (BNS), 2023, to replace the IPC; Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for CrPC; and Bharatiya Sakshya (BS) Bill, 2023, for the Indian Evidence Act—were subsequently referred to a standing committee the same day.

The committee proposed several key changes to the Bills. Subsequently, the Centre re-introduced the revamped criminal law Bills in Parliament's winter session.

These modifications aimed to address the committee's concerns and improve the precision, fairness, and applicability of the laws concerning various criminal activities.

Changes made in the revised criminal reform bills

Handcuffs

Initial Proposal: The Bharatiya Nagarik Suraksha Sanhita (BNSS) initially allowed the use of handcuffs during arrests for individuals accused of serious offences, including "economic offences."

Committee's Recommendation: The committee suggested restricting the use of handcuffs to select heinous crimes like rape and murder, excluding economic



offences due to their varying severity. They recommended deleting "economic offences" from the clause.

Incorporated Change:

The revised bill deleted "economic offences" from the clause and made the use of handcuffs for offences against the state more discretionary. It also extended the use of handcuffs to individuals being produced before a court.

Mercy Petitions

Initial Provision: The BNSS allowed convicts facing death sentences or their relatives to file mercy petitions, subject to review by the Centre or state government's Home Department.

Committee's Recommendation: The committee proposed establishing a quasi-judicial board for mercy petitions and setting a timeframe for their review.

Incorporated Change: The provision allowing mercy petitions to be forwarded for review was deleted. Additionally, the scope of non-appealable orders under Articles 72 and 161 was broadened, making the Governor's orders under Article 161 unappealable.

Preventive Detention Powers

Initial Expansion: The BNSS expanded police powers for preventive action without specifying a time frame for detention.

Committee's Recommendation: The committee suggested specifying a time period for detention and clarifying ambiguous language.

Incorporated Change: The new bill includes a 24-hour limit for detention and clarifies the use of the term "Magistrate" instead of "judicial magistrate."

Community Service

Initial Provision: "Community service" was included as a penalty for specific offences without a clear definition.

Committee's Recommendation: Define "community service" and extend its application to specific offences.

Incorporated Change: The revised BNSS now defines "community service" as court-ordered work benefiting the community without remuneration.

Additionally, community service was extended as a punishment for unlawfully



engaging public servants in trade and non-appearance in response to a proclamation under Section 84.

The Bharatiya Nyaya Sanhita 2023

It is a proposed bill aiming to replace the Indian Penal Code of 1860. This bill introduces several changes in criminal offences and punishments.

It covers a wide range of aspects, including terrorism, organised crime, sexual offences, and more.

Key changes proposed in this bill include:

Sedition

The Indian Penal Code (IPC) defines sedition as bringing or attempting to bring hatred or contempt, or exciting disaffection towards the government.

The Bill removes sedition as an offence and replaces it with penalties for activities such as exciting or attempting to excite secession, armed rebellion, subversive activities, encouraging separatist feelings, or endangering the sovereignty or unity of India.

Offences under the new provisions may result in imprisonment of up to seven years or life imprisonment, along with a fine.

Terrorism

The Bill defines terrorism as acts intending to threaten the unity, integrity, and security of the country, intimidate the public, or disturb public order.

Includes the use of firearms, bombs, hazardous substances, destroying property, disrupting essential services, and activities listed in the Unlawful Activities (Prevention) Act, 1967.

Death or life imprisonment for acts resulting in death, imprisonment term between five years and life in other cases. Offenders may also face a fine of at least five lakh rupees.

Conspiring, organizing, or assisting in preparing any terrorist act carries imprisonment between five years and life, along with a fine.

Organized Crime



Continuing unlawful activities such as kidnapping, extortion, contract killing, land grabbing, financial scams, and cybercrime, carried out by violence or intimidation for material or financial benefit, by individuals or crime syndicates.

Death or life imprisonment for offences resulting in death, imprisonment term between five years and life in other cases, along with a fine.

Petty Organized Crime

Organized crimes cause general feelings of insecurity, committed by criminal groups/gangs, including pickpocketing, snatching, and theft.

Attempting or committing petty organized crime is punishable with imprisonment between one and seven years and a fine.

Murder on Grounds of Caste or Race

Murder committed by five or more people on specified grounds (race, caste, sex, place of birth, language, or personal belief) is punishable with imprisonment between seven years and life, or death, along with a fine.

Death Penalty for Gang Rape of Minors

The bill extends the provision of the death penalty for gang rape to include victims under 18 years of age, broadening the scope beyond the previous provision which applied to victims below 12 years of age under the Indian Penal Code.

Sexual Intercourse by Deceitful Means

This provision criminalizes sexual intercourse with a woman through deceit or a false promise of marriage without intending to fulfil it. The punishment could range from simple to rigorous imprisonment for up to 10 years, coupled with a fine.

Extending Offenses to Boys

The Bill specifies that importing boys under the age of 18 years for illicit intercourse with another person will be an offence. This provision aligns the law with a gender-neutral approach concerning certain offences related to illicit activities involving minors.