

UPSC CURRENT AFFAIRS NOTES 02-04-2024

Prevention of Money Laundering Act (PMLA)

The Punjab and Haryana high court has made it clear that courts can order release of an accused of money laundering under police custody without fulfilling twin conditions as mandated under the Prevention of Money Laundering Act (PMLA), 2002.



What is Money Laundering?

PMLA defines money laundering as an act of directly or indirectly attempting to indulge or knowingly assisting or knowingly being a party or actually involved in concealing, possessing, acquiring, using, projecting as untainted property, or claiming as untainted property, in any manner whatsoever, the proceeds of crime.

It is defined as the process through which an illegal fund, such as black money, is obtained from illegal activities and disguised as legal money, eventually portrayed as white money.

About Prevention of Money Laundering Act (PMLA), 2002

It is an act to prevent money laundering and to provide for the confiscation of property derived from or involved in money laundering.



The Act was formulated for the following objectives:

Prevent money-laundering.

Combat/prevent the channelising of money into illegal activities and economic crimes.

Provide for the confiscation of property derived from, or involved/used in, money laundering.

Penalise the offenders of money laundering offences.

Appointing an adjudicating authority and appellate tribunal for taking charge of money laundering matters.

Provide for matters connected and incidental to the acts of money laundering.

The Enforcement Directorate (ED) in the Department of Revenue, Ministry of Finance, is responsible for investigating the offences of money laundering under the PMLA.

Financial Intelligence Unit–India (FIU-IND), under the Department of Revenue, is the central national agency responsible for receiving, processing, analyzing, and disseminating information relating to suspect financial transactions.

The scheduled offences are separately investigated by the agencies mentioned under respective acts, for example, the local police, CBI, customs departments, SEBI, or any other investigative agency, as the case may be.

Actions that can be initiated against the person involved in money laundering:

Seizure/freezing of property and records, and attachment of property obtained with the proceeds of crime.

Any person who commits the offence of money laundering shall be punishable with:

Rigorous imprisonment for a minimum term of three years, and this may extend up to seven years.

Fine (without any limit).

The PMLA and rules notified thereunder impose obligations on banking companies, financial institutions, and intermediaries and persons carrying on a designated business or profession, to verify identity of clients, maintain records and furnish information to FIU-IND.

It is a multi-disciplinary organization mandated with the investigation of offence of money laundering and violations of foreign exchange laws. It was established in 1956 as an 'Enforcement Unit' under the Department of Economic Affairs. Later, in 1957, this unit was renamed the 'Enforcement Directorate'. It is under the administrative control of the Department of Revenue (under the Ministry of Finance) for operational purposes. ED is responsible for enforcement of the Prevention of Money Laundering Act, 2002 (PMLA), Foreign Exchange Management Act, 1999 (FEMA), and Fugitive Economic Offenders Act, 2018 (FEOA).

Section 120B of the Indian Penal Code (IPC)

The Supreme Court recently dismissed the review petitions filed against its judgment which held that proceedings under the Prevention of Money Laundering Act (PMLA) cannot be initiated by invoking Section 120B of the IPC if the alleged criminal conspiracy was not related to a scheduled offence.

About Section 120B of the IPC

Section 120A of the IPC defines the offence of criminal conspiracy.

Section 120B of the IPC, on the other hand, defines the punishment for criminal conspiracy.

Criminal Conspiracy under IPC is an agreement between two or more persons to commit an illegal act or to commit a lawful act by illegal means.

In other words, it is a criminal offence where two or more individuals agree to plan and execute a criminal act.

LAW INSIDER





Section 120A of the IPC states: “When two or more persons agree to do or cause to be done, an illegal act or an act which is not illegal by illegal means, such an agreement is designated a criminal conspiracy.”

For a conspiracy to be established, there must be an agreement between the conspirators, a common intention to commit an illegal act, and an overt act in furtherance of that intention.

The agreement does not have to be in writing or expressed verbally; it can be inferred from the conduct of the parties.

The Doctrine of Agency in a Criminal Conspiracy:

It is said that a criminal conspiracy is a partnership in crime because every member involved is a joint and mutual agent to each other for the common purpose, i.e., execution of the conspired crime.

By this doctrine of agency, the law contemplates that the act of one of the members in the conspiracy is deemed as the act by each of them, due to all members being equally liable.

Punishment for Criminal Conspiracy:

Under the purview of IPC 120B, conspiracy is divided into two categories depending on the nature, gravity, and punishment for the said offences. Also, whether the case is bailable or not, depends on the above-mentioned circumstances.

In the first part, it states that if the conspiracy is to commit an offence of serious nature, an offence which is punishable with death imprisonment, imprisonment for life, or with rigorous imprisonment for at least a term of 2 years or more, or if there is no punishment mentioned in the code for the offence committed, such person shall be treated in the same manner as of the offence committed and abetted by him.

Whereas, in the other part of Section 120B, conspiracy other than the offence committed under the first part, conspiracy to commit an illegal act is covered. In this kind of cases, the section provides a uniform punishment, which means imprisonment of either description for a term which may extend up to six months, a fine, or both.

Mohiniyattam

In a historic move, the Kerala Kalamandalam, a deemed university for arts and culture, has lifted gender restrictions to learn Mohiniyattam.

About Mohiniyattam

It is an Indian classical dance form that evolved in the state of Kerala.

History and Evolution

Its roots date back to the age-old Sanskrit Hindu text on performing arts called 'Natya Shastra'.

It is used to be performed by Devadasis (temple dancers) in temples during the rule of the Chera kings from 9 to 12 C.E.

Later on it developed further as a performing art during the 18th and 19th centuries due to the patronage of several princely states.

Features:

It is conventionally a solo dance performed by female artists.

It adheres to the Lasya type that showcases a more graceful, gentle and feminine form of dancing.



Theme: The dance form Mohiniyattam has love and devotion to God as its major themes, with usually Lord Vishnu or his incarnation Lord Krishna as the lead character.

It emotes a play through dancing and singing, where the song is customarily in Manipravala, which is a mix of Sanskrit and Malayalam language.

The recitation may be performed by the dancer or a vocalist, with the music style being Carnatic.

The dance is characterized by its graceful swaying body movements with no abrupt jerks or sudden leaps.

More than the footwork, emphasis is given to hand gestures and Mukhabhinaya or subtle facial expressions.

The hand gestures, 24 in number, are mainly adopted from 'Hastha Lakshana Deepika', a text followed by Kathakali.

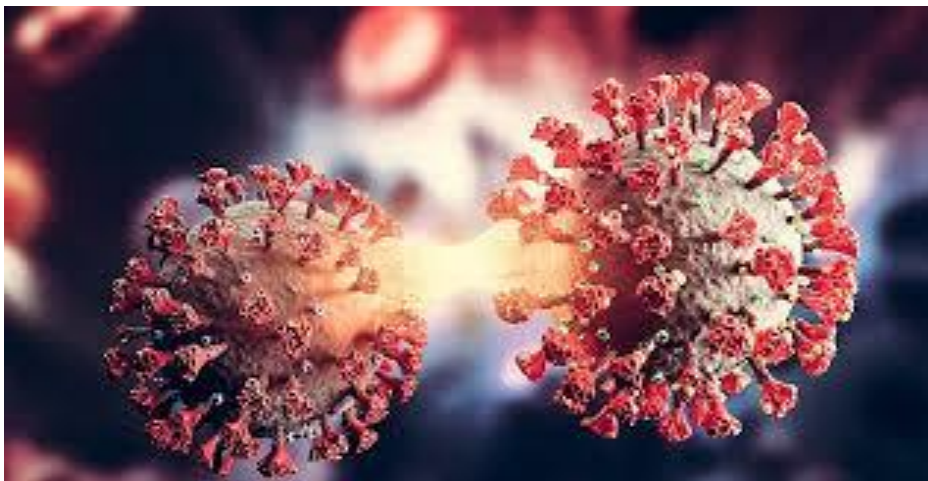
Costumes in Mohiniyattam include plain white or ivory cream traditional sari embroidered with bright gold-laced brocade.

Instruments used: Mridangam, Madhalam, Idakka, flute, Veena and Kuzhitalam(cymbals).

It is a classic on dramatics and aesthetics which has been commonly attributed to Bharata, the sage for its authorship. It has been founded on human psychology prevailing under conditions of India's cultural system with a focus on stage performance.

CoViNet

Context: The World Health Organization (WHO) has established a new global laboratory network called CoViNet. This network aims to identify and monitor potentially dangerous new coronaviruses that could emerge in the future.





The World Health Organization (WHO) has established a global network of laboratories known as CoViNet to detect and monitor emerging coronaviruses, building upon the COVID-19 reference laboratory network established during the early days of the pandemic.

This initiative aims to enhance global surveillance and preparedness efforts against potential novel coronaviruses, including not only SARS-CoV-2 but also other coronaviruses like MERS-CoV.

Focus beyond COVID-19

While CoViNet will continue to track the SARS-CoV-2 virus (the cause of COVID-19), its focus extends to other coronaviruses, including MERS-CoV (Middle East Respiratory Syndrome coronavirus).

This broader approach is crucial because coronaviruses, as a large family of viruses, have a history of jumping from animals to humans and causing significant outbreaks. By monitoring various coronaviruses circulating in animals and humans, CoViNet can identify strains with pandemic potential early on.

Building on Existing Infrastructure

CoViNet leverages the WHO's existing COVID-19 reference laboratory network established during the pandemic's early stages. This network played a crucial role in confirming the presence of the virus. The experience and knowledge gained from this network will be invaluable in CoViNet's efforts.

Enhanced Scope

CoViNet integrates animal and environmental health surveillance alongside human health monitoring. This comprehensive "One Health" approach provides a broader picture of potential threats.

By understanding how coronaviruses circulate in animals and the environment, scientists can better predict their potential to spill over into humans and cause future outbreaks.

Supporting Low- and Middle-Income Countries



CoViNet will assist low- and middle-income countries in establishing more laboratories to effectively monitor coronaviruses of public health concern. This is essential for ensuring a globally coordinated response to emerging threats.

Strong laboratory capacity in all regions of the world is critical for early detection and rapid characterization of new viruses.

Timely Detection and Response

Acting director of WHO's Department of Epidemic and Pandemic Preparedness and Prevention, emphasises the importance of CoViNet in ensuring the timely detection, monitoring, and assessment of coronaviruses that could pose significant public health risks.

Early detection is critical for implementing effective public health measures to contain outbreaks and mitigate their impact.

Lessons Learned from the Pandemic

The emergence of COVID-19, the first "Disease X" identified by the WHO (a term used for an unknown but potentially severe pandemic threat), highlighted the need for increased vigilance.

The COVID-19 pandemic highlighted the devastating impact that a coronavirus can have on global health, economy, and society. CoViNet is a direct outcome of the lessons learned from this pandemic.

Global Network with Local Action

CoViNet is a global network of 36 laboratories from 21 countries across all six WHO regions. Notably, three Indian laboratories are part of this network. These include:

Council of Scientific and Industrial Research-National Environmental Engineering Research Institute.

Indian Council of Medical Research-National Institute of Virology in Pune.

Translational Health Science and Technology Institute.

Data-Driven Decision Making

Virus sequencing and data collected through CoViNet will inform the decisions of WHO's Technical Advisory Groups. These groups include those focused on



viral evolution (assessing SARS-CoV-2 mutations and variants) and COVID-19 vaccine composition.

By providing critical data on circulating coronaviruses, CoViNet will contribute to the development of more effective vaccines and diagnostics to combat these viruses.

Coronaviruses

Coronaviruses are a diverse group of RNA viruses that can cause diseases in both mammals and birds.

In humans and birds, they primarily affect the respiratory tract, leading to a spectrum of illnesses ranging from mild to severe. While some coronaviruses cause mild symptoms akin to the common cold, others have been associated with severe respiratory diseases such as Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (MERS), and Coronavirus Disease 2019 (COVID-19).

GLOBAL SUMMIT ON EXTREME HEAT

United States Agency for International Development (USAID) and the International Federation of Red Cross and Red Crescent Societies (IFRC) hosted the first Global Summit on Extreme Heat, which brought together leaders and changemakers from across the world to discuss solutions and strategies to protect communities and workers from extreme heat.

As part of the Summit, USAID and IFRC kicked off a Global Sprint of Action on Extreme Heat to raise awareness and spur commitments around extreme heat, beginning with Summit and culminating with the Global Day of Action on Extreme Heat on June 2, 2024.

During the sprint of action, governments, civil society, youth, and students will take concrete steps around the globe to help prepare countries and communities for extreme heat and increase resilience to the impacts of climate change that cannot be avoided.

These actions support the President's Emergency Plan for Adaptation and Resilience (PREPARE), the U.S. effort to help more than half a billion people in developing countries adapt to and manage the impacts of climate change by 2030.



USAID highlighted some of the new initiatives to combat extreme heat including:

IFRC and USAID Extreme Heat Global Action Hub.

IFRC and USAID are launching a virtual central hub to organize progress across sectors, USAID Missions, and IFRC Societies to work with national and local governments to identify actions to reduce the impacts of extreme heat, convene local leaders, and raise awareness about extreme heat.

Fire Grand Challenge Prize.

In partnership with the Gordon and Betty Moore Foundation for the North American West, and contributions from USAID, ConservationX Labs will launch a Fire Grand Challenge to help people in the Amazon Basin, Southeast Asia, and the North American West manage forest fires.

The Grand Challenge will source and scale ideas that pair the knowledge and practices of Indigenous communities with cutting-edge innovation, science, and technology to impact global fire stewardship.

Releasing a New Global Famine Early Warning Systems Network (FEWS NET) Interactive Heat Exposure Projections Map.

FEWS NET launched an interactive mapping tool to help policy makers, donors, and other stakeholders better understand and plan for extreme heat and its implications in particular countries.

Users will be able to identify a population's extreme heat exposure as experienced in the recent past (2000-2017 average) and projected in 2050 to understand the evolution and scale of extreme heat threats by mid-century.

Guidance on Extreme Heat for Federal Agencies Operating Overseas and United States Government Implementing Partners.

This guidance document, the first of its kind, lays out a framework for U.S. Embassies and Missions overseas to increase the resilience of their workforce and the communities that they operate in against extreme heat-related weather incidents through planning, early warning systems, education, infrastructure improvements, humanitarian assistance considerations, and engaging country and community leaders.

Toolkit for higher education, created by the University of Pennsylvania's Perry World House.



This toolkit supports universities and their partners – all around the world – to capitalize on their ability to foment substantive and cross-disciplinary collaboration that builds resilience to the heatwaves of today and tomorrow.

It derives from project-based work across sub-national, national, and international levels on extreme heat, among other climate-related topics.

Who can participate?

National and local governments:

To commit to develop Heat Action Plans or issue guidance to protect outdoor workers and other vulnerable populations from extreme heat and implement early warning systems in line with the Secretary General’s Early Warning for All by 2027.

International finance institutions:

Fund and assessment managers, donor agencies, and philanthropies to make meaningful commitments to provide financing for extreme heat.

Companies

To make new, significant commitments to signal the critical importance of building climate resilience in partner countries in line with the Administrator’s PREPARE Call to Action.

Universities and youth leaders, civil society, innovators, and mappers

To organize action events in their communities and campuses, e.g., increasing shade cover and green spaces through tree planting; taking measures to cool buildings, for example through cool roofs; and mapping where vulnerable populations and cooling centers are located.

USAID

The United States Agency for International Development (USAID) is an independent agency of the United States government that is primarily responsible for administering civilian foreign aid and development assistance.

Congress passed the Foreign Assistance Act on September 4, 1961, which reorganized U.S. foreign assistance programs and mandated the creation of an agency to administer economic aid.



USAID was subsequently established by the executive order of President John F. Kennedy.

INDIA TB REPORT 2024

The India TB Report 2024, released by the Union Health Ministry, provides significant information about the country's current tuberculosis (TB) control activities.

The report highlights a significant decrease in "missing cases." These are individuals with TB who haven't been diagnosed and can unknowingly spread the infection. In 2023, the number dropped to 2.3 lakh, compared to 3.2 lakh the previous year.

This reduction is credited to the Ni-kshay portal, a government initiative that effectively tracks TB patients. The portal ensures they receive proper care, healthcare providers can monitor their progress, and potential issues are identified early on. This comprehensive approach helps find and treat missing cases before they can spread the disease.

Tuberculosis

Tuberculosis (TB) is an infectious disease caused by bacteria called *Mycobacterium tuberculosis* (MTB).

It primarily affects the lungs, but it can spread through the bloodstream to other parts of the body, such as the brain, spine, kidneys, and even the bones.

Closing Gap between Estimated and Actual Cases

Narrowing the gap between the estimated number of TB cases and the actual number diagnosed. This is important because "missing cases" are assumed not to have received treatment, and can continue to transmit TB.

With better detection methods and improved surveillance, the gap is closing, signifying a more accurate picture of the TB burden in India.

Private Sector Stepping Up

While government health centres still report the majority of TB cases, the private sector is playing a more prominent role.



In 2023, a significant portion (33% or 8.4 lakh) of reported cases came from private facilities, compared to just 1.9 lakh in 2015.

This trend indicates a positive shift. Broader participation from private healthcare strengthens India's fight against TB by expanding access to diagnosis and treatment across the healthcare system.

TB Burden and Mortality

Despite the positive trends, the estimated number of TB cases remains high, with 27.8 lakh cases in 2023. The number of TB-related deaths remained unchanged at 3.2 lakh.

These figures highlight the substantial TB burden in India and the need for continued efforts to reduce both incidence and mortality.

Reaching Treatment Targets

India achieved a commendable goal in 2023: initiating treatment for 95% of diagnosed TB patients. This signifies a well-functioning healthcare system with efficient treatment initiation processes.

More patients (58% in 2023 compared to 25% in 2015) are being tested for drug resistance, a crucial step in ensuring they receive the most effective therapies.

Prioritising Drug Susceptibility Testing

The report emphasises the importance of drug susceptibility testing (DST) to identify drug-resistant TB early.

Early detection allows for prompt initiation of appropriate treatment, minimising the risk of treatment failure and further transmission of drug-resistant strains.

The India TB Report 2024 demonstrates significant progress in TB control. However, the fight is far from over. Continued investment in surveillance, diagnostic tools, and treatment services is crucial to address the remaining challenges. Collaboration between public and private healthcare sectors, coupled with innovative strategies, will move India further towards its goal of eliminating TB as a public health threat.