



Balalatha's

CSB IAS ACADEMY

The Road Map to Mussoorie...



Prelims EDGE – 19/10/2024

## PROHIBITION OF CHILD MARRIAGE ACT, 2006

**Context:** Supreme Court recently highlighted some limitations in the implementation of the Prohibition of Child Marriage Act, 2006.

### THE PROHIBITION OF CHILD MARRIAGE ACT, 2006



#### About the Prohibition of Child Marriage Act, 2006:

- The **Child Marriage Restraint Act, 1929**, also known as **Sarda Act**, was the first attempt to curb this practice by setting minimum age of marriage for girls at 14 years & boys at 18 years.
- However, the Act had limited success due to weak implementation, cultural

practices, and lack of awareness.

- The 2006 Act was introduced to address these shortcomings. It raises the minimum age of marriage to **18 years for girls and 21 years for boys** & provides for stronger enforcement.

#### Key Provisions of the 2006 Act:

- Prohibition and Prevention:
  - The Act strictly prohibits the solemnization of child marriages. It **grants powers to the court to issue injunctions to prevent such marriages** from being conducted.
  - Any person who performs, conducts, directs, or abets child marriage, **including parents or guardians, is considered an offender** under the Act.
- Punishments and Penalties
  - Anyone involved in the solemnization of a child marriage, including priests and parents, is liable for rigorous **imprisonment up to two years, or a fine up to ₹1 lakh, or both.**
  - The Act criminalizes child marriages and punishes the offenders **irrespective of caste, religion, or personal laws.**
- Validity and Voidability of Child Marriages
  - Child marriages are not automatically void but are **voidable at the option of the contracting parties.**
  - A child, once becoming an adult, may seek annulment of the marriage. Such a petition must be **filed within 2 years of minimum age of marriage** (21 for boys & 18 for girls).

- However, cases involving force, kidnapping, trafficking, or where a minor is married off are automatically void.
- Maintenance and Custody of Children
  - Act provides for **welfare and protection of the child bride or groom**. If marriage is annulled, the court has the **authority to issue orders for financial support** to the female party.
  - Court also makes provisions for the **custody and maintenance of any children born out of such marriages**, ensuring their best interests are prioritized.
- Appointment of Prohibition Officers
  - Act mandates appointment of **Child Marriage Prohibition Officers by state govt**. They are responsible for preventing child marriages, collecting evidence, filing complaints, and ensuring prosecutions.
  - They are also tasked with creating awareness about the ill effects of child marriage.
- Role of NGOs and Public
  - Act **encourages participation from NGOs and general public** to report cases and assist in prevention of child marriage.
  - **Any person or organization can approach the court or the police** to stop a child marriage, thus helping to increase community involvement.

Source: Child betrothals are a ploy to escape punishment: SC (The Hindu)

## INFLATION TARGETING

**Context:** The RBI Governor recently spoke about the risk of interest rate cuts as retail inflation continues to be high in India.



### About Inflation Targeting in India:

- Inflation targeting is a monetary policy in which a **central bank sets an explicit target for rate of inflation** and adjusts its policy instruments, such as interest rates, to achieve it.
- **New Zealand pioneered** inflation targeting in 1990, and it has since become widely adopted worldwide.
- In India, **Flexible Inflation Target (FIT)**

framework was adopted in 2016.

- RBI has set an **inflation target of 4% with a tolerance band of +/- 2%** with regards to the Consumer Price Index (CPI). This means that RBI aims to keep inflation at 4% but will tolerate inflation between 2% to 6%.

### Monetary Policy Committee (MPC):

- It was set up consequent to **Monetary Policy Framework Agreement (2015)** between Union Govt and RBI to task RBI with the responsibility for price stability and inflation targeting.
- **RBI Act, 1934 was amended and by virtue of Section 45ZB**, Union Govt constitutes a six-member MPC.
- Union Govt determines the inflation target **in terms of Consumer Price Index, once in every five years** in consultation with the RBI.
- Composition: Section 45ZB says the MPC shall consist of **6 members**:

- RBI Governor as its ex officio chairperson,
- Deputy Governor in charge of monetary policy
- An officer of RBI
- 3 persons appointed by Govt.

#### Wholesale Price Index (WPI)

- ✓ It measures changes in **prices of goods sold and traded in bulk** by wholesale businesses to other businesses.
- ✓ Office of Economic Adviser, **Commerce & Industry Ministry** releases it.
- ✓ Base year: 2011-12

#### Consumer Price Index (CPI)

- ✓ Measures price change from point of view of a retail buyer. It is released by **National Statistical Office (NSO)**.
- ✓ Calculates price change of **services and commodities** such as food, medical care, education, housing, fuel, etc.
- ✓ Has several sub-groups including food and beverages, fuel and light, housing and clothing, bedding and footwear.
- ✓ Four types of CPI are as follows:
  - CPI for Industrial Workers
  - CPI for Agricultural Labourer
  - CPI for Rural Labourer
  - CPI (Rural/Urban/Combined)
- ✓ Of these, first 3 are compiled by Labour Bureau. Fourth is compiled by NSO.
- ✓ Base Year for CPI is 2012.

*Source: Interest rate cut at this stage could be premature, highly risky: RBI Chief (The Hindu)*

## PMLA, 2002

**Context:** An AAP leader and politician was recently granted bail under the PMLA 2002 in the Delhi Excise Policy case.



### PREVENTION OF MONEY LAUNDERING ACT

#### About Prevention of Money Laundering Act (PMLA), 2002:

- PMLA was **enacted under Article 253**, which empowers Parliament to make laws for implementing international conventions. It was enacted in pursuance of two treaties to which India was a party:

- **UN Convention against Illicit**

#### **Traffic in Narcotic Drugs and Psychotropic Substances, 1998**

- **UN Convention against Trans-national Organized Crime, 2000** (Palermo Convention)

#### Key Provisions of PMLA

- **Offences & Penalties:** Defines money laundering offences and imposes penalties for such activities - rigorous imprisonment and fines for offenders.
- **Attachment and Confiscation of Property:** Allows for attachment and confiscation of property involved in money laundering. It establishes an Adjudicating Authority to oversee these proceedings.

- **Reporting Requirements:** Mandates certain entities, such as banks and financial institutions, to maintain records of transactions and report suspicious transactions to the Financial Intelligence Unit (FIU).
- **Designated Authority and Appellate Tribunal:** Establishes a Designated Authority to assist in investigation and prosecution. It also provides for the establishment of an Appellate Tribunal to hear appeals against orders of the Adjudicating Authority.
  - **Appeals against decisions of the PMLA Appellate Tribunal lie to the High Courts.**

#### Amendments to PMLA in 2023

- **Clarification about Proceeds of Crime:** Proceeds of the Crime not only includes property derived from the offence but now also includes any other property derived or obtained from any criminal activity relatable or similar to the alleged offence.
- **Money Laundering Redefined:** Money Laundering was not an independent crime – rather, it depended on another crime, known as predicate offence or scheduled offence. The amendment seeks to treat money laundering as a stand-alone crime.
- **Defines PEPs (Politically Exposed Persons):** Individuals who have been entrusted with prominent public functions by a foreign country.
- **For Cryptocurrencies:** Virtual digital assets (VDA) trade has been brought under PMLA. New rules mandate crypto exchanges and intermediaries dealing in virtual assets to maintain the KYCs of their clients and report suspicious transactions to FIU.
- **Due diligence documentation for companies:** It has been expanded to include the submission of details such as names of persons holding senior positions, names of partners, etc.
- **Beneficial Owners:** Lowered the threshold for identifying beneficial owners by reporting entities, where the client is acting on behalf of its beneficial owner.
  - 'Beneficial owners' are those entitled to more than 25% of shares/capital/profit – this has now been reduced to 10%.
- **NPOs:** Reporting entities have to register details of the client on DARPAN portal of NITI Aayog if it is a non-profit organization (NPO).

#### Enforcement Directorate (ED)

- ✓ It is a domestic law enforcement & economic intelligence agency. It is responsible for **enforcing economic laws and fighting economic crimes in India.**
- ✓ Its origin goes back to **May 1956**, when an "enforcement unit" was formed for the Foreign Exchange Regulation Act. In 1957, it was renamed as ED.
- ✓ **Nodal Agency: Department of Revenue, Ministry of Finance**
- ✓ The ED enforces three Acts:
  - **Foreign Exchange Management Act, 1999 (FEMA)**
  - **Prevention of Money Laundering Act, 2002 (PMLA)**
  - **Fugitive Economic Offenders Act, 2018 (FEOA).**

Source: *Delhi court grants bail to AAP leader Satyendar Jain (The Hindu)*

## TERMS IN NEWS

### Musaned Platform

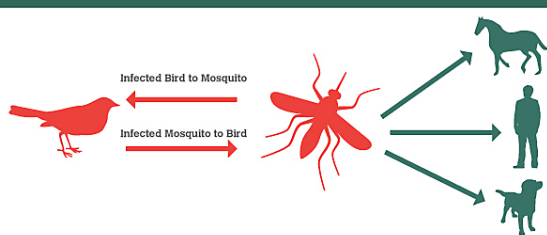
- Musaned is a **digital platform created by Saudi Arabia** to ensure **wage protection and improve working conditions for foreign workers.**
- It benefits workers from **10 African countries** (e.g., Sudan, Ethiopia, Kenya) and **9 Asian countries** (e.g., India, Bangladesh, Pakistan).



- Aims to safeguard workers' rights, minimize illegal immigration, and provide a safe working environment.
- Features:
  - Enables workers to **check employment contracts**.
  - **Tracks financial transactions** between employers & workers.
  - Can be linked to contract insurance and health benefits.

### West Nile Fever

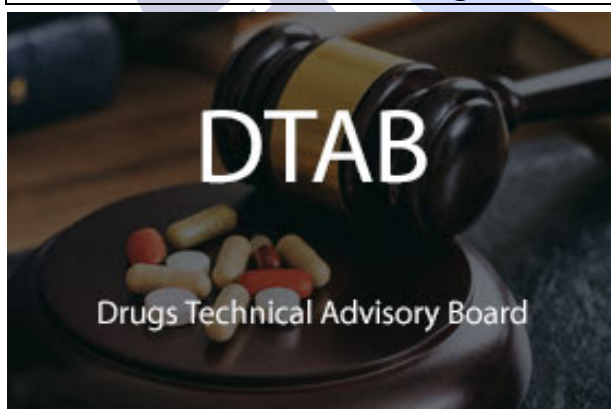
#### How West Nile Virus Is Transmitted



**RNA virus.** It is commonly found in Africa, Europe, the Middle East, North America and West Asia.

- **Culex species of mosquitoes** act as principal vectors for transmission.
- To date, no human-to-human transmission of WNV through casual contact has been documented.
- 80% of infected individuals show no symptoms. 20% develop symptoms like fever, headache, fatigue, body aches, nausea, and vomiting.
- **There is no vaccine** for the disease.

### Drugs Technical Advisory Board



- It is the **highest statutory decision-making body on technical matters related to drugs** in India.
- It is established as per the **Drugs and Cosmetics Act, 1940**. It is part of the Central Drugs Standard Control Organization (CDSCO).
- It **advises the Union Govt and the State Govts** on technical matters arising out of the

administration of the Drugs and Cosmetics Act, of 1940 and to carry out the other functions assigned to it by this Act.

- Nodal Ministry: **Ministry of Health and Family Welfare**.

### Non-Kinetic Warfare

- It refers to strategies and tactics that aim to weaken, influence, or disrupt an adversary **without the use of physical force or direct combat.**
- Unlike kinetic warfare involving conventional weapons and military attacks, non-kinetic warfare employs tools such as **cyberattacks, economic sanctions, psychological operations, and information manipulation.**
- The goal is often to destabilize, demoralize, or **impair the enemy's decision-making capabilities** without causing physical destruction.
- It **targets communication networks, critical infra, public perception, etc.** This is very effective in asymmetric conflicts where one side may not have conventional military superiority.
- Examples include cyberattacks, such as the **Stuxnet virus, which targeted Iran's nuclear program** by damaging centrifuges without a physical strike.
- Another example is **Russia's use of disinformation campaigns** during the 2016 U.S. elections to influence public opinion and sow discord.
- **Economic sanctions imposed by the United States** on North Korea are another form of non-kinetic warfare.

### PRACTICE QUESTIONS

Q1. Consider the following diseases often seen in the news:

1. Chikungunya
2. West Nile Fever
3. Yellow Fever
4. Ebola Disease
5. Japanese Encephalitis
6. Sleeping Sickness

How many of the afore mentioned diseases are spread by mosquitoes ?

- A. Only two
- B. Only three
- C. Only four
- D. Only five

Q2. Consider the following statements regarding inflation targeting in India:

1. The Monetary Policy Committee, which sets policy rates in India, is a statutory body under the RBI Act.
2. Services are considered for calculating inflation under both Consumer Price Index (CPI) and Wholesale Price Index (WPI).
3. As per the RBI Act, the inflation target will be determined by Union Govt and RBI once every five years.

Which of the afore mentioned statements are correct ?

- A. 1 and 2
- B. 1 and 3
- C. 2 and 3

D. 1, 2 and 3

Q3. The Musaned Platform, which aims to protect rights of immigrant workers, was launched by which of the following nations ?

- A. United Arab Emirates
- B. Malaysia
- C. United States of America
- D. Saudi Arabia

Q4. Consider the following statements about the Prohibition of Child Marriage Act of 2006:

1. Parents and guardians of children can be prosecuted under the Act, if they aid child marriage.
2. All child marriages are considered as void ab initio under the Act.
3. Any person or organization can approach the court or the police to stop a child marriage.
4. Each district administration has to appoint a CMPO (Child Marriage Prohibition officer) under the Act.

How many of the above statements are correct ?

- A. Only one statement
- B. Only two statements
- C. Only three statements
- D. All four statements

Q5. Consider the following statements regarding the Prevention of Money Laundering Act (PMLA) of 2002:

1. PMLA was enacted in pursuance of India's ratification of certain UN Conventions.
2. Appeals against the decisions of the PMLA Appellate Authority lie to the High Courts.
3. Non-profit organizations are excluded from the ambit of the PMLA.

Which of the aforementioned statements are correct ?

- A. 1 and 2
- B. 1 and 3
- C. 2 and 3
- D. 1, 2 and 3

**Answers:**

- 1. C
- 2. B
- 3. D
- 4. B
- 5. A