



## News Analysis (16 Nov, 2019)

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### Contempt of Court

#### Why in News

Recently, the Supreme Court of India has held former Ranbaxy promoters guilty of contempt for violating its order.

- The expression 'contempt of court' has **not been defined by the Constitution**.
- As per the **Contempt of Courts Act 1971, contempt refers** to the offence of showing disrespect to the dignity or authority of a court.
- The act divides contempt into **civil and criminal contempt**.
  - **Civil contempt:** It is willful disobedience to any judgment, decree, direction, order, writ or other processes of a court or wilful breach of an undertaking given to the court.
  - **Criminal contempt:** It is any publication which may result in:
    - Scandalising the court by lowering its authority.
    - Interference in the due course of a judicial proceeding.
    - An obstruction in the administration of justice.
- However, **innocent publication** and distribution of some matter, **fair and reasonable criticism** of judicial acts and comment on the administrative side of the judiciary **do not amount to contempt of court**.

#### Contempt of Court Act, 1971

- The act defines the power of courts to punish for their contempt and regulates their procedure.
- It was **amended** in **2006** to include the **defence of truth** under **Section 13** of the original legislation. Implying that the **court must permit justification by truth as a valid defence** if it is satisfied that it is in the public interest.

## Punishments for Contempt of Court

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- The **supreme court and high courts** have the power to **punish for contempt of court**, either with simple imprisonment for a term up to six months or with fine up to 2,000 or with both.
- In **1991**, the **Supreme Court has ruled** that **it has the power to punish for contempt not only of itself but also of high courts, subordinate courts and tribunals functioning in the entire country**.
- On the other hand, High Courts have been given special powers to punish contempt of subordinate courts, as per **Section 10 of The Contempt of Courts Act of 1971**.

## Need for Contempt Law

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- The purpose of contempt jurisdiction is to **uphold the majesty and dignity of the judiciary**.
- Contempt powers help judges to do their duties of deciding cases **without fear, favour, affection or ill will**.

## Constitutional Background

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- **Article 129:** Grants Supreme Court the power to punish for contempt of itself.
- **Article 142(2):** Enables the Supreme Court to investigate and punish any person for its contempt.
- **Article 215:** Grants every High Court the power to punish for contempt of itself.

## Issues with Contempt Law

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- **Article 19(1)(a)** of the Constitution gives the **right to freedom of speech and expression to all citizens**, while **“contempt provisions”** curb people’s freedom to speak against the court’s functioning.
- The law is **very subjective** which might be used by the judiciary **arbitrarily to suppress their criticism** by the public.

**Source: TH**

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OPEC +

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Why in News

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According to the International Energy Agency (IEA), the **Organisation of the Petroleum Exporting Countries (OPEC+)** plus might face sharp demand fall due to a recent surge in crude oil production from the countries like USA, Norway, and Guyana.

- The **non-OPEC countries which export crude oil** are termed as **OPEC plus countries**.
- OPEC plus countries include Azerbaijan, Bahrain, Brunei, Kazakhstan, Malaysia, Mexico, Oman, Russia, South Sudan and Sudan.

## Organization of the Petroleum Exporting Countries (OPEC)

OPEC Membership, 2019



- The Organization of the Petroleum Exporting Countries (OPEC) is a **permanent, intergovernmental organization**, created at the **Baghdad Conference** in **1960**, by Iran, Iraq, Kuwait, Saudi Arabia, and Venezuela.
- It aims **to manage the supply of oil in an effort to set the price of oil in the world market**, in order to avoid fluctuations that might affect the economies of both producing and purchasing countries.
- It is headquartered **in Vienna, Austria**.
- OPEC **membership** is **open to any country** that is a **substantial exporter of oil** and which shares the **ideals of the organization**.
- Gabon terminated its membership in January 1995. However, it rejoined the Organization in July 2016.
- As of 2019, OPEC has a total of 14 Member Countries viz. Iran, Iraq, Kuwait, United Arab Emirates(UAE), Saudi Arabia, Algeria, Libya, Nigeria, Gabon, Equatorial Guinea, Republic of Congo, Angola, Ecuador and Venezuela are members of OPEC.

## International Energy Agency

- The International Energy Agency (IEA) is an **autonomous** organisation which works to ensure reliable, affordable and clean energy.
- It was established in the wake of **1973 (set up in 1974) oil crisis** after the OPEC cartel had shocked the world with a steep increase in oil prices.
- It is headquartered in **Paris**, France
- The IEA has **four main areas of focus**, i.e. 4Es:
  - Energy security,
  - Economic development,
  - Environmental awareness and
  - Engagement worldwide.
- **India** became an **associate member** of the International Energy Agency in **2017**.
- **Mexico** officially became the International Energy Agency's **30<sup>th</sup> member country** in February **2018**, and its first member in Latin America.

Source:ET

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## Child Abuse Prevention and Investigation Unit

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### Why in News

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The **Central Bureau of Investigation (CBI)** has set up an **Online Child Sexual Abuse and Exploitation (OCSAE) Prevention/Investigation Unit** at its headquarter in New Delhi.

- The unit will function under the CBI's Special Crime Zone.
- The unit's **territorial jurisdiction would be throughout the country**.

### Functions of the Unit

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- It will probe offences covered under various provisions of the **Indian Penal Code (IPC)**, the **Protection of Children from Sexual Offences (POCSO) Act** and the **Information Technology (IT) Act**, apart from other relevant laws.
- It will collect and disseminate information on **online child sexual abuse and exploitation**.

### Background

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- The incidence of online child sexual abuse and exploitation generally transcends international borders.
- Numerous references related to dissemination of Child Sexual Abuse Material (CSAM) have been received from the **Interpol** and other national/international organisations.

### Central Bureau of Investigation

- CBI is the **premier investigating police agency** in India.
- It functions under the superintendence of the **Ministry of Personnel, Pension & Public Grievances**.
- However for investigations of offences under the **Prevention of Corruption Act**, its superintendence vests with the **Central Vigilance Commission**.
- It is the **nodal agency in India** which coordinates investigation **on behalf of Interpol member countries**.

Source: TH

## Ain-i-Akbari

- *Ain-i-Akbari* is a **16<sup>th</sup> century document**.
- **Written by:** Akbar's court historian **Abu'l Fazl** in **Persian language**.
- **Deals with:** the **administration of Mughal Emperor Akbar**.
- **Background:** Beginning in 1589, Abu'l Fazl worked on the '**Akbar Nama**' for thirteen years. The Akbar Nama is **divided into three books**:
  - The first book dealt with Akbar's ancestors.
  - The second recorded the events of Akbar's reign.
  - The **third is the Ain-i Akbari**. It deals with Akbar's administration, household, army, the revenues and geography of his empire. It provides rich details about the traditions and culture of the people living in India. It also got statistical details about crops, yields, prices, wages, and revenues.
- In the early twentieth century, the Akbar Nama was **translated into English by Henry Beveridge**.
- **Other Literary Work during Akbar's Reign:**

Sr. No.	Book	Author
1.	Muntakhab ul-Tawarikh (also known as <b>Tarikh-i-Bidauni</b> )	Abdul Qadir Badaoni
2.	Tabakat-i-Akbari	Nizamuddin
3.	Takmila-i-Akbarnama	Inayatulla
4.	Sursagar (written in Brij Bhasha)	Sur Das
5.	Ramcharitmanas (written in Awadhi- eastern hindi dialect)	Sant Tulsi Das

## Sisseri River Bridge

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Recently, the Defence Minister inaugurated the **Sisseri River Bridge** located at lower Dibang Valley in **Arunachal Pradesh**. The 200m long bridge provides connectivity between **Dibang Valley and Siang**.

- The bridge was constructed by '**Project Brahmark**' of **Border Roads Organisation (BRO)**.

There are **four projects of BRO** in Arunachal Pradesh namely **Vartak, Arunank, Brahmark, and Udayak** to not only meet the **strategic requirement** of India but also contribute to the **socio-economic development** of the region.

- This bridge is strategically important from the military viewpoint and will be a part of **Trans Arunachal Highway**.

The Trans-Arunachal Highway was ₹10,000-crore two-lane highway project that aimed **to connect Tawang in the west to Kanubari in the east** of Arunachal Pradesh. It was conceived in **2008**.

- The Government has adopted the **Border Area Development Programme (BADP)** for infrastructural upgradation of the area, necessary for the security of the North-East and the entire country.

## Border Area Development Programme

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- BADP was **started in the year 1986-87** for balanced development of border areas of states bordering Pakistan, namely, Jammu & Kashmir, Punjab, Gujarat, and Rajasthan. It was subsequently extended to all the land borders.
- The programme is administered by the **Department of Border Management** of the **Ministry of Home Affairs (MHA)**.
- States are provided a 100% **non-lapsable Special Central Assistance fund** under BADP to meet the special developmental needs and well being of the people living in remote and inaccessible areas situated near the international border.
- The programme was **amended in 2015** to provide the provision for third party inspection and quality control mechanism under MHA for random inspections of the BADP schemes.