

Important Acts and Schemes

The following acts and schemes were in news. That is the reason there is a possibility that can be asked in the exams.

- The Lokpal and Lokayukta Act, 2013** provided for the establishment of Lokpal for the Union and Lokayukta for States (as statutory bodies without any constitutional status)
Commission to Review the Working of the Constitution (2002) headed by M.N. Venkatachaliah, 1st ARC and 2nd ARC recommended the appointment of the Lokpal and Lokayukta. The Act came into force on 16th January, 2014 and has been amended once in 2016 since its notification. Vide notification dated 26th May 2022, Shri Justice Pradip Kumar Mohanty, Member (Judicial) has been authorised to act as the Chairperson, Lokpal with effect from 28th May, 2022.
- The Law Ministry describes the **Law Commission of India** as a non-statutory body that is constituted by a notification of the Government of India, with definite terms of reference to carry out research in the field of law. The Commission makes recommendations to the Government (in the form of Reports) as per its terms of reference. The Law Commission was first constituted in 1955
The 22nd Law Commission of India has been constituted with Justice (retd) **Rituraj Awasthi** as its head. Commission would have a tenure of three years
- Lok Adalats:** Over 450 prisoners have walked free in Chhattisgarh after Lok Adalats were set up in jails across the State.
About the initiative:
 - ❖ Lok Adalats in Jail will be held every working Saturday and provide relief to undertrials, and in some cases convicted prisoners, by explaining their rights and legal options such as plea bargaining and settlement.
 - ❖ It is a first-of-its-kind initiative anywhere in India. The first Lok Adalat camp was organized in Gujarat in 1982 as a voluntary and conciliatory agency.
It was given statutory status under the Legal Services Authorities Act, 1987.
- NALSA has launched **LADCS** with full-time legal aid lawyers in 365 district legal services authorities across India.
What is LADC?
LADC is a NALSA-funded project to provide free legal aid (in line with the Public defender system) to accused persons to defend themselves in criminal trials. The aim is to ensure that opportunities for securing justice are not denied to any citizen by reasons of economic or other disabilities. About NALSA: NALSA has been constituted under the **Legal Services Authorities Act, 1987**, to provide free legal services to weaker sections of society. 'Nyaya Deep' is the official newsletter of NALSA.
Composition: Chief Justice of India shall be the Patron-in-Chief, Second senior-most judge of the Supreme Court of India is the Executive-Chairman.
- 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.

6. A term in news **Split Verdict**: A **split verdict** is passed when the Bench cannot decide one way or the other in a case, either by a unanimous decision or by a majority verdict. Split verdicts can only happen when the Bench has an even number of judges. This is why judges usually sit in Benches of odd numbers (three, five, seven, etc.) for important cases, even though two-judge Benches — known as Division Benches — are not uncommon. In case of a split verdict, the case is heard by a larger Bench. The larger Bench to which a split verdict goes can be a three-judge Bench of the High Court, or an appeal can be preferred before the Supreme Court.
7. The Election Commission recently told the Supreme Court that “**there is no express provision which bars associations with religious connotations to register as political parties under Section 29A of the Representation of the People Act-1951**”. The EC generally does not have the power to deregister political parties, something which it has proposed as an electoral reform to the government many times. On the issue of symbols, the Election Symbols (Reservation and Allotment) Order, 1968 bars parties from having symbols with religious or communal connotations
8. **Section 123 of RPA 1951** :Using religion, race, caste, community or language for electoral gains, is prohibited under Section 123 of RPA 1951 (Corrupt practices in elections)
 - Section 79 D of the Representation of People Act, 1951 defines “electoral right” to mean the right of a person to... vote or refrain from the vote at an election”.
The law completely enables but does not force, citizens, to vote.
 - Section 135B of the Representation of People Act, 1951, grants a paid holiday to every person employed in any business, trade, industrial undertaking or any other establishment. o Employers at best can cut the wages of those who take leave but don't go to vote.
9. **NOTA**: In 2013, the Supreme Court, in a landmark verdict, introduced ‘None of the Above’ or NOTA to allow voters to cast a “negative vote” to reject all candidates as unworthy. The court held that the right to vote as well as the right to say “none of the above” constituted a basic right of the voters, and said the option would foster “purity” and “vibrancy” in elections
10. **Citizenship Amendment Act (CAA), 2019** :It seeks to amend the Citizenship Act, 1955.
 - The Citizenship Act, 1955 provides various ways in which citizenship may be acquired.
 - It provides for citizenship by birth, descent, registration, naturalisation and by incorporation of the territory into India.
11. The **PESA Act** was enacted in 1996 “to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas”. Under the Act, Scheduled Areas are those referred to in Article 244(1), which says that the provisions of the Fifth Schedule shall apply to the Scheduled Areas and Scheduled Tribes in states other than Assam, Meghalaya, Tripura, and Mizoram. The Fifth Schedule provides for a range of special provisions for these areas. The PESA Act was enacted to ensure self-governance through Gram Sabhas (village assemblies) for people living in the Scheduled Areas. It recognises the right of tribal communities, who are residents of the Scheduled Areas, to govern themselves through their own systems of selfgovernment. The Act empowers Gram Sabhas to play a key role in approving development plans and controlling all social sectors. This includes the processes and personnel who implement policies, exercising control over minor (non-timber) forest resources, minor water bodies and minor minerals, among other things.
12. **Unlawful Activities (Prevention) Act (UAPA)** :Passed in 1967, the law aims at the effective prevention of unlawful activities, and associations in India. The Act assigns absolute power to the central government, by way of which if the Centre deems an activity as unlawful then it may, by way of an Official Gazette, declare it so. It has the death penalty and life imprisonment as the highest punishments.

13. The **New Delhi International Arbitration Centre Act, 2019**, provides for the establishment of an institution of national importance, namely the New Delhi International Arbitration Centre for creating an independent and autonomous body for facilitating institutional arbitration.

- It is mandated to be a seven-member body that is headed by a former Judge of the Supreme Court or a High Court or an eminent person.
- The NDIAC shall, inter alia, provide facilities and administrative assistance for conciliation, mediation and arbitral proceedings, maintain panel of arbitrators, both at national and International level; promote research and study, provide teaching and training and organize conferences and seminars in arbitration, conciliation, mediation and other alternative dispute resolution matters.

MCQ for Practice

Q1. Who has been appointed the chairman of 22nd Law commission?

- (a) M.N. Venkatachaliah
- (b) Justice Pradip Kumar Mohanty
- (c) **Rituraj Awasthi**
- (d) D Y Chandrachud
- (e) None

Q2. None of the Above' or NOTA to allow voters to cast a "negative vote" to reject all candidates as unworthy was introduced in Supreme Court in which year?

- (a) 2010
- (b) 2011
- (c) **2013**
- (d) 2015
- (e) None

Q3. Which of the following statements is correct?

1. There is no express provision which bars associations with religious connotations to register as political parties
2. The law completely enables but does not force, citizens, to vote.
3. The Election Symbols (Reservation and Allotment) Order, 1968 bars parties from having symbols with religious or communal connotations

- (a) 1,2
- (b) 2,3
- (c) 3
- (d) 1,3
- (e) **1,2,3**