

# All-Inclusive Current Affairs for Prelims 2023

## Polity Class-10

### Tribunals

**Which was the first Tribunal in India?**

Income Tax Appellate Tribunal (1941)

High Court	Tribunal
Established by Constitution	Established by <u>Constitution or law</u> (Centre or State)
Uses all laws	Uses only <u>specific laws</u>
Bound by procedure [ eg CrPC ]	Follows principles of <u>natural justice</u>
Has judicial members only	Has Judicial and <u>Expert</u> members
Can file case without advocate? Yes	Can file case without advocate? Yes

<b>Polity class-5</b>	pg-55
Timestamp Hindi video	40:00
Timestamp English video	43:13

<b>Polity class-6</b>	pg-58
Timestamp Hindi video	07:20
Timestamp English video	06:38

**Article 227** (Polity class-1 pg-2)

Each HC has superintendence over all courts and tribunals in its jurisdiction

Orders of Armed Forces Tribunal can be challenged in HC? Yes

Orders of Central Administrative Tribunal can be challenged in HC? Yes

Note: Article 227 is part of basic structure

**Important** (PT365 Polity class-1 pg-2) (2022 Static class-7 and pg-47)

One can file appeal in SC against orders of Military Tribunal / Court Martial? **Yes**

One can file Special Leave Petition in SC against orders of Military Tribunal / Court Martial? **No**

**NGT subordinate and can't contradict high courts: SC**  
Court quashed a Green Tribunal order that had stayed the construction of a resort by the Andhra Pradesh government on the Rushikonda Hills in Visakhapatnam  
New Delhi | Published 02.06.22, 02:53 AM

**NGT fines Delhi govt. ₹2,232 crore for poor waste management**  
Tribunal also forms panel led by L-G to monitor waste management; it had earlier imposed ₹900-cr. fine on Delhi for 3 crore tonnes of waste  
February 18, 2023 01:27 am | Updated 01:27 am IST - New Delhi

**NGT, not Art of Living, should be fined for Yamuna floodplain damage: Sri Sri**  
Apr 19, 2017 11:03 AM IST  
Art of Living founder Sri Sri Ravi Shankar on Tuesday said the Centre, Delhi government and the National Green Tribunal (NGT) should be held responsible for allowing his foundation to organise the World Culture Festival on the Yamuna floodplains in March 2016.

#### National Green Tribunal

<b>Environment class-4B</b>	pg-45
Timestamp Hindi video	47:50
Timestamp English video	47:26

NGT can hear cases under WPA 1972? **No**

NGT's orders can be challenged in High Court? **Yes**

NGT can hear appeal against order of High Court? **No**

NGT can impose fine on govt as well as private entities? **Yes**

NGT's orders are binding? **Yes** (It has same powers as civil court)

#### Appointments in NGT

**Chairman:** by Centre, in consultation with CJI

**Members:** by Centre, on recommendation of a selection committee

<https://www.telegraphindia.com/india/ngt-subordinate-and-cant-contradict-high-courts-sc/cid/1867955>



#### Rushikonda hills

in Visakhapatnam/Vizag in Andhra, near

- Indira Gandhi Zoological Park
- Kambalakonda Wildlife Sanctuary

<https://www.thenewsminute.com/article/ngt-pulls-telangana-govt-over-pollution-hyderabad-s-hussainsagar-form-panel-116641>



#### Hussain Sagar lake

- Heart shaped lake in Hyderabad, Telangana
- built by Ibrahim Quli Qutb Shah in 1563
- It is fed by Musi river (tributary of Krishna)  
(Krishna flows along Telangana-Andhra border)

I read I forget, I see I remember

See explanation of this PDF on **YouTube** [www.youtube.com/c/allinclusiveias](http://www.youtube.com/c/allinclusiveias)

**Speaker acts as tribunal under 10<sup>th</sup> Schedule? Yes**

- Speaker exercises judicial power, but without trappings/procedures of court.
- Hence, while deciding disqualification under 10th schedule, Speaker acts as Tribunal.
- Since Speaker is chosen as per wish of ruling party, ensuring impartial conduct is difficult.

**Live Law** Subscribe Premium LOGIN

**No Proposal For All India Judicial Service Now Due To Lack Of Consensus : Law Minister Tells Lok Sabha**

Sohini Chowdhury 17 Dec 2022 12:21 PM

**District Judges**

For appointment of judges to higher judiciary (SC/HC), see **Collegium** in May 2022 magazine

**Article 233** Appointment of district judges

- ❑ Appointment/posting/promotion
  - by Governor in consultation with HC
- ❑ Eligibility
  - should not be in service of Centre/State
  - advocate for not less than 7 years
  - recommended by High Court

**Article 234** Recruitment of persons other than district judges to the judicial service

It is done by Governor, as per rules made by him, after consultation with State PCS and High Court.

**Article 235** Control over subordinate courts

High Court shall have control over district courts and courts subordinate thereto.

**236. Interpretation.**—In this Chapter—

(a) the expression “district judge” includes judge of a city civil court, additional district judge, joint district judge, assistant district judge, chief judge of a small cause court, chief presidency magistrate, additional chief presidency magistrate, sessions judge, additional sessions judge and assistant sessions Judge;

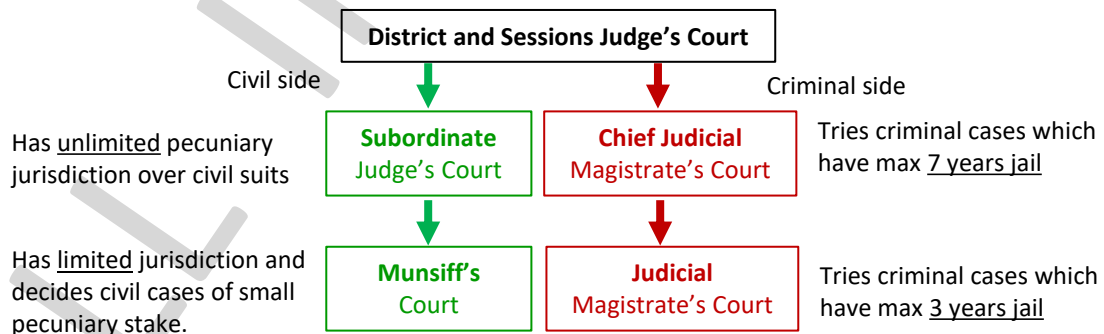
(b) the expression “judicial service” means a service consisting exclusively of persons intended to fill the post of district judge and other civil judicial posts inferior to the post of district judge.

**Prelims 1996** According to the Constitution of India the term 'district judge' shall not include:

- (a) Chief presidency magistrate
- (b) Sessions judges
- (c) Tribunal judge**
- (d) Chief judge of a small cause court

**District judge**

- ❑ He is the highest judicial authority in the district
  - Appeals against his orders lie to High Court
- ❑ He has original and appellate jurisdiction in both civil and criminal cases
  - When he hears civil cases, he is called District judge
  - When he hears criminal cases, he is called Sessions judge
- ❑ He has both judicial and administrative powers
  - He has supervisory powers over all the subordinate courts in the district
- ❑ He can impose any sentence, including capital punishment
  - Death penalty given by him is subject to confirmation by HC, whether there is an appeal or not



**Some metropolitan cities have**

- City Civil courts (Chief judges) on the civil side
- Metropolitan Magistrate courts on the criminal side

Structure/Jurisdiction/Nomenclature varies as it is decided by states

I read I forget, I see I remember | See explanation of this PDF on **YouTube** [www.youtube.com/c/allinclusiveias](http://www.youtube.com/c/allinclusiveias)

BarBench

News Columns Interviews Law Firms

**Full Court of Supreme Court decides to begin live streaming of Constitution Bench hearings from September 27**

## Live-streaming

- ❑ **2022:** [Supreme Court](#) began live-streaming of Constitution Bench hearings
- ❑ **2021:** [Gujarat HC](#) became the first HC to formally launch live-streaming of court proceedings (Now many HCs are doing it)
- ❑ **2018:** SC allowed live-streaming of cases of national importance on a plea filed by Indira Jaising ([Swapnil Tripathi vs Supreme Court case](#))

### Some points from the 2018 judgement (not important for Prelims)

- [Article 129](#) empowers SC to publish court proceedings
- Right of access to justice (flowing from [Article 21](#)) would be meaningful only if public gets access to the proceedings.
- [Sunlight is the best disinfectant](#). Live-streaming as extension of open court will increase transparency & accountability.

### Court of Record

- Judgements/proceedings/acts of the Court are recorded for perpetual memory.
- They have evidentiary value and cannot be questioned in any court.
- They are recognised as legal precedents.
- Court has power to punish for contempt.

**Article 129** → SC is a court of record

**Article 215** → Each HC is a court of record

**The Indian EXPRESS**  
— JOURNALISM OF COURAGE —

**Explained: What is a full court meeting, called by the new Chief Justice of India soon after taking charge?**

By: Explained Desk

New Delhi | Updated: August 30, 2022 10:56 IST

## Full Court

Defined in Constitution/Law/Rules? **No**

Important cases are decided in this way? **No**

It is held after regular intervals? **No** (whenever CJI wants)

Its decision is necessary to amend administrative practices of SC? **No**

By convention CJI calls all SC judges to discuss important issues? **Yes**

### Some decisions by Full Court of Supreme Court:

**2022:** live streaming of Constitution Bench hearings (2022 Static course class-7 pg-47)

**2010:** rejected Law Commission's suggestion to set up regional benches (Polity class-6 pg-58)

**1997:** judges to disclose assets. Adopted "in-house procedure" for SC/HC judges (Polity class-3 pg-28)

**The Indian EXPRESS**  
— JOURNALISM OF COURAGE —

**Why the Centre wants to revisit the process for designating senior advocates at Supreme Court, High Courts**

Written by Khadija Khan

New Delhi | Updated: February 21, 2023 07:37 IST

## Senior Advocate

### Present system:

- Permanent Committee sends name to Full Court
- Full Court decides by majority
- Full Court can also recall the designation

### Committee members:

- (a) C J I
- (b) Two senior-most judges of SC
- (c) Attorney General of India
- (d) Member of Bar nominated by (a) to (c)

### Background:

- Advocates Act 1961: there shall be two classes of advocates - senior advocates and other advocates
- Such designation was given by CJI, but the process was opaque.
- 2015: Indira Jaising (India's first woman Senior Advocate) filed PIL for greater transparency
- 2017: SC gave judgement
- 2018: SC issued guidelines

I read I forget, I see I remember | See explanation of this PDF on [www.youtube.com/c/allinclusiveias](https://www.youtube.com/c/allinclusiveias)

## In-Camera

**The Indian EXPRESS**  
JOURNALISM OF COURAGE

### What are in-camera proceedings, when are they conducted

Written by Omkar Gokhale

Mumbai | November 30, 2022 07:55 IST

NewsGuard

### In-camera proceedings

- ❑ They are private, unlike open court proceedings
  - Held through video conferencing or in closed chambers
  - Public and press are excluded.
  - Media needs courts permission to publish about the case.
- ❑ They are conducted as per court's discretion
  - Parties can demand it, or court can order on its own
- ❑ Done in sensitive matters to ensure protection & privacy of the parties
  - Rape, POCSO, matrimonial disputes, national security, etc
  - Mentioned in CrPC, POCSO Act, Family Courts Act, etc.

### In-camera proceedings



### Open Court



### Live-streaming



## Language in Courts

Polity class-1	pg-9
Timestamp Hindi video	01:14:43
Timestamp English video	01:04:33

- ❑ **Supreme Court**
  - Constitution provides for English.
  - Parliament may allow other languages, but did not do so.
- ❑ **High Courts**
  - Constitution provides for English.
  - Governor may allow other languages.
  - Allowed Hindi for Rajasthan, MP, UP, Bihar
- ❑ **Subordinate courts**
  - Decided by HC and State Govt in consultation with each other

### Following background is not important for Prelims

PIB 09-02-2023 <https://pib.gov.in/PressReleaselframePage.aspx?PRID=1897702>

- ❑ **Article 348:**
  - All proceedings in the Supreme Court and in every High Court, shall be in English
  - Governor may, with previous consent of President, authorize Hindi or any other language, in proceedings of HC (not judgement, decree, order)
- ❑ **Cabinet decision in 1965:**
  - Consent of CJI must be obtained for language other than English in High Court
- ❑ **Article 235:**
  - High Court shall have control over district courts and courts subordinate thereto.
  - Hence use of Hindi or regional language in lower courts is decided by HC and State Govt in consultation with each other.

<https://doj.gov.in/use-of-hindi-and-regional-languages/>

- Use of Hindi was authorized long back in HC of [Rajasthan, MP, UP, Bihar](#) for proceedings, judgements, decrees, orders.
- Other state govts also demanded use of local language in HC
- In 2012, CJI informed that Full Court has rejected such proposals.
- In 2014, on requests of TN govt, Union Govt requested CJI to review the decision.
- In 2016, CJI informed that Full Court has again rejected such proposals.

### Official Language Act 1963:

- It makes no mention of Supreme Court
- Governor may, with previous consent of President, authorize Hindi or any other language, in proceedings, judgement, decree, order of HC

I read I forget, I see I remember | See explanation of this PDF on [www.youtube.com/c/allinclusiveias](https://www.youtube.com/c/allinclusiveias)

## ICT in Courts

Polity class-6	pg-58
Timestamp Hindi video	13:38
Timestamp English video	13:21



**e-Committee of SC** <https://ecommitteesci.gov.in/>

- ❑ For ICT initiatives in judiciary (ICT = Information and Communication Technology)
- ❑ It supervises e-Courts Project conceptualized under "National Policy and Action Plan for Implementation of ICT in Indian Judiciary-2005".
- ❑ e-Courts is monitored & funded by Department of Justice, Ministry of Law & Justice.

**e-Courts project:** (PIB 22-07-2022 <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1843360>)

- ❑ Launched in 2007 as part of National **eGovernance** Plan
- ❑ It aims to **improve access to justice** using technology
- ❑ **Phase-1 2007-2015:** 14,249 Court sites were computerized
- ❑ **Phase-2 since 2015:** 18,735 Court sites have been computerised so far
- ❑ Progress: (no need to learn)
  - High-speed **broadband** in 99.3% courts complexes
  - **Case Information Software** has been developed
  - **National Judicial Data Grid** provides case status to lawyers and litigants
  - **20 Virtual Courts** in 16 States / UTs for traffic offences
  - **Live streaming** of proceedings started in certain HCs.
  - **E-filing system** for Vakalatnama, eSigning, oath, online payment, etc initiated
  - **'Judgment & Order Search'** portal created to search for orders of HCs

### Justice Clock

<https://doj.gov.in/justice-clock/>

- Increases public awareness about judiciary, schemes, etc.
- Takes data from National Judicial Data Grid
- Installed in many courts



**S3WaaS** <https://s3waas.gov.in/>

- Secure, Scalable & Sugamya Website as a Service
- It is a cloud service **for govt entities to build websites**
- It offers multiple themes and customization options
- Website can be hosted under gov.in or nic.in domain



**Prelims 2022** With reference to "Software as a Service (SaaS)", consider the following statements:

1. SaaS buyers can customise the user interface and can change data fields.
2. SaaS users can access their data through their mobile devices.
3. Outlook, Hotmail and Yahoo! Mail are forms of SaaS.

Which of the statements given above are correct ?

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

### DISHA Designing Innovative Solutions for Holistic Access to Justice

- By Department of Justice for 2021-2026
  - Its focus is on Tele-Law, Pro Bono Legal Services (Nyaya Bandhu), Legal Literacy and Legal Awareness
- Also see: Polity class-3 page-30 (Hindi 1:38:50 , English 1:25:58)



### JustIS mobile app

- It is a court management tool
- It gives judge all the details about his court
- It is for judges of district and subordinate courts

I read I forget, I see I remember See explanation of this PDF on [www.youtube.com/c/allinclusiveias](https://www.youtube.com/c/allinclusiveias)

## Prison/Jail

Polity class-6	pg-60
Timestamp Hindi video	22:10
Timestamp English video	21:25

### National Crime Records Bureau

- 1986, HQ Delhi
- Ministry of Home Affairs
- Maintains database of crimes, criminals, fingerprints, etc.

### Reports by NCRB

- Crime in India
- Fingerprint in India
- Missing Women & Children
- Accidental deaths & Suicides
- Prison Statistics

 Become a Member 

### 8 in 10 Prisoners Await Trial as India's Inmate Population Grows: Govt Data

VIRAJ GAUR INDIA  
Published: 14 Sep 2022, 1:36 PM IST 3 min read

### Prison Statistics India Report

- First published in 1995, latest 2021
- It takes data from Prison Headquarters of States/UTs
- It is the only annual statistical publication started by NCRB (other publications were started prior to formation of NCRB)

### PRISONS

Number of Jails	1319
Most Central Jails are in	Delhi (14)
Most District jails are in	UP (62)
Most Jails are in	Rajasthan (144) Tamil Nadu (142)

### PRISONERS

Capacity of jails	4.25 lakh
Persons in jails	5.5 lakh (130% occupancy rate)
Undertrials	4.3 lakh (78% of prisoners)
Most prisoners are in	UP (1.2 lakh) Bihar (67,000)

### Note:

- Some states/UTs have no Central jail and no district jail
- Only 15 states/UTs have women jails  
(Total 32 women jails with capacity of ~6700)

### Did you know?

Arunachal Pradesh got its first jail in 2009  
(Police lock-ups were used before that)

### Some govt initiatives (MHA works with States to implement these programs)

- E-prisons** → computerization of functioning of prisons, etc.
- Model Prison Manual** → prepared by MHA in 2016 to guide states on prison administration
- Modernisation of prisons** → Strengthen security infra, reform and rehabilitation, etc.  
Funds will be provided by Centre as grants-in-aid during 2021-2026