

22 JULY

ZERO FIR

ABOUT ZERO FIR:

- Zero FIR is an FIR that can be registered by any police station, irrespective of jurisdiction, upon receiving a complaint about a cognizable offence.
- At this stage, no regular FIR number is assigned.
- After receiving the Zero FIR, the relevant police station initiates a fresh FIR and commences the investigation.
- Its purpose is to provide a swift and convenient way for victims of serious crimes, especially women and children, to lodge complaints without having to visit multiple police stations.
- It aims to ensure that evidence and witnesses are not compromised due to delays in filing the complaint.
- The case is ultimately transferred to the police station with jurisdiction over the place of the offence or where the investigation should be conducted.
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LEGAL BASIS OF FIR:

- The introduction of Zero FIR was based on the **recommendation** of the **Justice Verma Committee**, which was formed after the 2012 Nirbhaya gangrape case.
- Various judgments of the Supreme Court and High Courts have supported the provision of Zero FIR.
- For instance, in **Lalita Kumari vs Govt. of UP (2014)**, the Supreme Court ruled that FIR registration is mandatory when information discloses a cognizable offence.
- In **Satvinder Kaur vs State (1999)**, the Delhi High Court upheld the right of a woman to lodge her complaint from any place other than where the incident occurred.

ABOUT FIRST INFORMATION REPORT (FIR):

- A written document prepared by the police upon receiving information about a cognizable offence.
- It is the first step that sets in motion the investigation process and subsequent actions by the police.

PRELIMS SPECIFIC: COGNISABLE & NON-COGNISABLE OFFENCES:

Cognisable Offences:

- Cognisable offences allow an officer to take immediate action, including arrest, without a court warrant if she has a "reason to believe" that the suspect committed the offence and certain conditions for arrest are met.
- Within 24 hours of the arrest, the officer must seek the approval of a judicial magistrate to continue the detention.
- As per the 177th Law Commission Report, cognisable offences are those that require immediate arrest.
- Cognisable offences typically involve serious crimes such as murder, rape, kidnapping, theft, dowry death, etc.
- FIRs are registered exclusively for cognisable crimes.

Non-Cognisable Offences:

- Non-cognisable offences do not allow the police to make an arrest without a warrant, and they cannot initiate an investigation without court permission.
- Crimes like forgery, cheating, defamation, public nuisance, etc., fall under the category of non-cognisable offences

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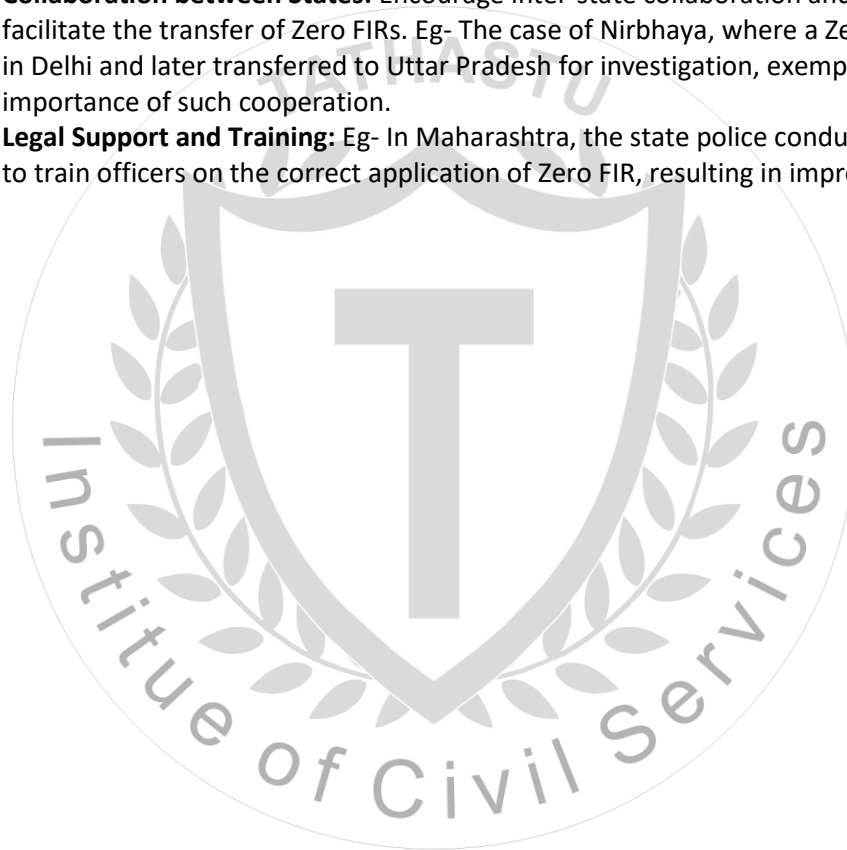


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WAY FORWARD:

- **Training and Awareness Programs:** Eg- In Karnataka, the police department conducted workshops to sensitize officers about the provision of Zero FIR, leading to increased awareness and effective implementation.
- **Technology Integration:** Eg- the Delhi Police launched an online portal for filing Zero FIRs, making it more convenient for citizens to report crimes and ensuring quicker processing.
- **Collaboration between States:** Encourage inter-state collaboration and coordination to facilitate the transfer of Zero FIRs. Eg- The case of Nirbhaya, where a Zero FIR was filed in Delhi and later transferred to Uttar Pradesh for investigation, exemplifies the importance of such cooperation.
- **Legal Support and Training:** Eg- In Maharashtra, the state police conducted workshops to train officers on the correct application of Zero FIR, resulting in improved compliance




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SUPREME COURT JUDGES

WHY IN NEWS:

Centre seeks more social diversity in judges' appointment. Law Minister Arjun Ram Meghwal informs Lok Sabha that 454 of the 604 High Court judges appointed since 2018 belong to general category

STRENGTH AND COMPOSITION OF JUDGES:

- Initially, the Supreme Court consisted of eight judges, including one Chief Justice and seven others.
- Over time, the Parliament has raised the number of judges in the Supreme Court.
- Currently, the Supreme Court has a total of 34 judges, comprising one Chief Justice and 33 other judges.

QUALIFICATIONS OF JUDGES:

- Article 124(3) of the Constitution outlines the eligibility criteria for appointing a judge to the Supreme Court, which requires the following conditions to be met:
- The individual must be a citizen of India.
- They must have served as a High Court judge for a minimum of five years or consecutively in two such courts.
- Alternatively, they should have practiced as an advocate in a High Court for at least ten years or consecutively in two or more such courts.
- The President must consider them as a distinguished jurist based on their opinion.

REMOVAL OF JUDGES:

- A judge of the Supreme Court can only be removed from office by the President's order.
- The removal process necessitates an address by each House of Parliament, requiring a special majority - a majority of the total membership of that House and a majority of not less than two-thirds of the members present and voting.
- The grounds for removal are established misbehaviour or incapacity.
- Parliament holds the authority to regulate the procedure for presenting the address and investigating and proving the misbehaviour or incapacity of a judge.
- Once appointed, judges can serve until the age of 65 and cannot be removed during their tenure except for proven misbehaviour or incapacity.

PRELIMS SPECIFIC: EVOLUTION OF COLLEGIUM SYSTEM:

First Judges Case (1981):

- It ruled that the Chief Justice of India's (CJI) recommendations on judicial appointments and transfers could be rejected for valid reasons, giving the Executive supremacy over the Judiciary in such matters for 12 years.

Second Judges Case (1993):


- The Supreme Court introduced the Collegium system, interpreting "consultation" as "concurrence."

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- It emphasized that the Collegium's decision is not the individual opinion of the CJI but an institutional opinion formed in consultation with the two most senior judges of the SC.

Third Judges Case (1998):

- The Supreme Court, in response to a reference by the President (Article 143), expanded the Collegium to a five-member body, including the CJI and four senior-most judges.

Fourth Judges Case (2015):

- The 99th Constitutional Amendment Act of 2014 and the National Judicial Appointments Commission Act of 2014 aimed to replace the Collegium system with the National Judicial Appointments Commission (NJAC).

However, in 2015, the Supreme Court declared both the 99th Constitutional Amendment and the NJAC Act unconstitutional, reinstating the earlier Collegium system for appointing judges.

Prelims question: -

Q. With reference to the Indian judiciary, consider the following statements: (2021)

Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with the prior permission of the President of India.

A High Court in India has the power to review its own judgement as the Supreme Court does.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2


Ans: (c)

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NATIONAL COMMISSION FOR WOMEN:

WHY IN NEWS?

National Commission for Women had been apprised of Manipur video incident on June 12. The appeal which was emailed to NCW Chairperson listed six incidents of violence and assault against women belonging to the Kuki tribe.

ABOUT NCW:

The National Commission for Women was established in 1992 under the National Commission Act with the aim of reviewing constitutional and legal safeguards for women. It suggests legislative remedies, facilitates grievance redressal, and advises the government on women-related policy matters. Despite having the powers of a civil court, the Commission faces several limitations that hinder its effectiveness in advocating for women's rights.

FUNCTIONS OF NCW:

- **Inquiry, Investigation, and Examination:** NCW conducts inquiries, investigations, and examinations concerning women's safeguards.
- **Recommendations:** The commission provides recommendations to both the Union and State governments to enhance women's conditions.
- **Review of Laws:** NCW reviews various laws pertaining to women and proposes amendments if necessary.
- **Violation Cases:** It addresses cases of violations of women's rights as per constitutional provisions and other laws.
- **Suo-Moto Notice:** NCW takes Suo-moto notice of issues like deprivation of women's rights, non-implementation of laws, and non-compliance with policies concerning women.
- **Research:** The commission conducts promotional and educational research to improve women's representation in all aspects of life and enhance their effectiveness.
- **Planning:** NCW actively participates in the planning process related to the socio-economic development of women.
- **Progress Evaluation:** It evaluates the progress made in the development of women at both State and Union levels.
- **Inspection:** NCW inspects places such as jails and remand homes where women are held as prisoners.
- **Funding Litigations:** The commission deals with litigations related to funds affecting large women's bodies.

LIMITATIONS OF NCW:

- **Limited Enforcement Authority:** NCW is recommendatory and lacks the power to enforce its decisions, often acting only when issues are brought to its attention, leaving unreported cases unaddressed.
- **Lack of Constitutional Status:** The commission lacks constitutional status, resulting in no legal powers to summon police officers or witnesses, and no authority to take legal action against Internal Complaint Committees hindering women's grievance redressal.

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- **Insufficient Funding:** NCW's functions rely on grants from the central government, which are inadequate to meet its requirements.
- **Political Interference:** The commission cannot choose its own members; the Union government holds this power, leading to political interference at various levels.

ACHIEVEMENTS OF NCW:

- **Gender Profiles:** The Commission created Gender Profiles to evaluate women's status and empowerment.
- **Suo-Moto Action:** It took proactive steps in various cases to ensure swift justice.
- **Addressing Child Marriage:** The Commission tackled the issue of child marriage and organized legal awareness programs and **Parivarik Mahila Lok Adalats**.
- **Reviewing Laws:** It assessed and suggested amendments to laws like the Dowry Prohibition Act, PNDT Act 1994, and Indian Penal Code 1860 to enhance their effectiveness.
- **Workshops and Seminars:** NCW conducted workshops and consultations, formed expert committees for women's economic empowerment, and organized seminars to promote gender awareness.
- **Publicity Campaigns:** The Commission ran campaigns against female foeticide, violence against women, and other social evils to raise awareness in society.
- **Monthly Newsletter:** Regularly publishes a monthly newsletter called "**Rashtra Mahila**" to keep the public informed.

PRELIMS SPECIFIC: SCHEMES RELATED TO WOMEN EMPOWERMENT:

- 1. Beti Bachao, Beti Padhao (BBBP)** - Focuses on promoting the welfare of girls, addressing gender imbalance, and promoting education for girls.
- 2. Mahila Shakti Kendra (MSK)** - Aims to empower rural women through skill development, awareness programs, and access to government schemes.
- 3. Pradhan Mantri Matru Vandana Yojana (PMMVY)** - Provides financial assistance to pregnant and lactating women for their health and nutrition needs.
- 4. Ujjwala Yojana** - Provides free LPG connections to women from economically weaker households, promoting cleaner cooking fuel and women's safety.
- 5. Working Women Hostels** - Offers safe and affordable accommodation to working women, encouraging their economic independence.
- 6. One Stop Centre (Sakhi)** - Provides support and assistance to women affected by violence and abuse.
- 7. STEP (Support to Training and Employment Programme for Women)** - Empowers women through skill development and training to enhance their employability.
- 8. Swadhar Greh** - Provides temporary shelter, rehabilitation, and support to women in difficult circumstances.
- 9. NARI (National Repository of Information for Women)** - An online portal providing information on various government schemes and programs for women.
- 10. Swayam Siddha** - A self-help group initiative that encourages women entrepreneurship and economic empowerment.

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