NEW CRIMINAL LAW

new criminal law has been enacted to address contemporary societal challenges and improve the effectiveness of justice administration. This comprehensive legislation introduces rigorous measures to combat serious crimes such as violence, sexual offenses, and financial fraud. It includes provisions for stricter penalties and expedited trials to ensure swift and fair justice delivery. Emphasis is placed on protecting the rights of victims, particularly vulnerable groups like women, children, and the elderly, by providing specialized support and legal pro-

The law also prioritizes rehabilitation and reintegration programs for offenders, aiming to reduce recidivism rates and promote societal reintegration. Public awareness campaigns will be conducted to educate citizens about their rights and responsibilities under the new legal framework.

Through these measures, the new criminal law aims to create a safer and more just society, where citizens can feel secure and protected by a robust legal system.

It seeks to address systemic issues, uphold justice, and ensure that the rights of all individuals are respected and upheld within the criminal justice process.

Climate and environmental protection

■ MOHAMMAD HANIEF

n order to preserve our planet for many more generations, we all face major challenges in the coming decades. There is Lincreasing number of reports about the extinction of species, the decline of insect populations or microplastics in water and living organisms. Pollution from air pollutants and noise also costs the lives of millions of people worldwide every year. These and other impacts of our lifestyles show how urgently politics, business and how each and every one of us must address these issues - while at the same time keeping an eye on other societal concerns such as prosperity, justice or technological change.

Above all, it is necessary to limit global warming to the lowest possible level through climate protection measures and to assess the unavoidable consequences in order to be able to react to them. The steadily growing world population and the pursuit of higher living standards lead to an increasing concentration of greenhouse gases in the atmosphere. Therefore, new perspectives are needed to decouple growth from the use of fossil fuels. At the same time, the effects of alternative technologies on animal and plant life must be

The scale and nature of the health impacts of heat depend on the timing, intensity and duration of a temperature event, the level of acclimatization, and the adaptability of the local population, infrastructure and institutions to the prevailing climate. The precise threshold at which temperature represents a hazardous condition varies by region, other factors such as humidity and wind, local levels of human acclimatization and preparedness for heat conditions. The negative health impacts of heat are predictable and largely preventable with specific public health actions. Exposure to excessive heat has wide ranging physiological impacts for all humans, often amplifying existing conditions and resulting in premature death

India is among the countries most vulnerable to climate change. It has one of the highest densities of economic activity in the world, and very large numbers of poor people who rely on the natural resource base for their livelihoods, with a high dependence on rain-

One of the most significant ways that climate change will impact the lives of people in India will be through its water resources. While water sustains life, it all too often wreaks havoc through devastating floods and droughts. A changing climate will only aggravate

A Heat Wave is a period of abnormally high temperatures, more than the normal maximum temperature that occurs during the summer season in the North-Western parts of India. Heat Waves typically occur between March and June, and in some rare cases even extend till July. The extreme temperatures and resultant atmospheric conditions adversely affect people living in these regions as they cause physiological stress, sometimes resulting in death.

India is sweating through a heatwave, with thermometers in some parts of the capital recording more than 52 °C. This is the third year in a row of lethally high temperatures in April and May for the country, and climate change is increasing the likelihood of such weather extremes.

Since May 2024, a severe and long heat wave has impacted India The heat wave occurred during the dry season, which typically lasts from March to July with peak temperatures in April and May Rajasthan's Churu recorded 50.5 °C (122.9 °F) highest temperature in last eight years.

Jammu and Kashmir also continued to swelter under an intense heatwave, with temperatures reaching record highs across Jammu and Kashmir. Several areas experienced temperatures significantly above normal, causing widespread discomfort.

Global temperatures have been steadily rising due to the increased concentration of greenhouse gases in the atmosphere. The burning of fossil fuels, deforestation, and industrial activities have significantly contributed to this rise. According to the Intergovernmental Panel on Climate Change (IPCC), the average global temperature has already increased by about 1.1°C above pre-

Deforestation and changes in land use patterns have exacerbated the impact of heatwaves. Forests play a crucial role in regulating temperatures by providing shade and facilitating the process of evapotranspiration. The loss of forest cover has led to higher surface temperatures and reduced natural cooling.

Heatwaves can have significant impacts on health, depending on the timing, intensity, and duration of high temperatures. Exposure to excessive heat can lead to various illnesses, including heat cramps, heat exhaustion, heatstroke, and hyperthermia. Even small differences from normal temperatures can cause increased illness and death, particularly for those with existing health conditions. The long-term increase in Earth's average temperature, primarily driven by human activities such as burning fossil fuels (coal, oil, and natural gas), deforestation, and industrial processes, contributes to the frequency and intensity of heat waves. Global warming leads to overall warmer temperatures, making extreme heat events more likely. Urban areas with high population density, extensive concrete and asphalt surfaces, and limited vegetation tend to absorb and retain more heat, creating localized zones of higher temperatures. This phenomenon, known as the urban heat island effect, can intensify heat waves in cities.

The scorching temperatures gripping other parts of the country have further fueled the rush of tourists to Kashmir, with the region emerging as the preferred destination over traditional hill stations like Shimla, Darjeeling, and Nainital.

In July and August, tons of Hindu pilgrims camp around Kashmir and undertake the pilgrimage to Amarnath every year. The summer is a perfect time to enjoy the famous houseboats and a shikara ride on Dal lake. The flowers of the Mughal garden are in full blossom, and the whole Betaab valley is in picturesque green-

It's important to note that heat waves are complex events influenced by a combination of factors, and their occurrence and intensity can vary from one region to another based on a combination of

In order to build resilience to extreme heat, strategies include identifying vulnerable populations and creating heat preparedness plans, installing cool roofs and pavements, planting trees for shade, promoting energy efficiency, and using climate mapping tools for planning and understanding climate risks.

Gojri & Pahari Languages need to be introduced in Universities Gojri being a Tribal language ignored continuously

CH RASHID AZAM INOLABI

he National Education Policy 2020 has "emphasized" on the use of the mother tongue or local language as the medium of instruction till Class 5th while, recommending its continuance till Class 8th and beyond. The National Education Policy proposes various reforms in school education as well as higher education including technical education. A number of action points/activities for implementation in school education as well as higher education are suggested in the National Education Policy 2020.

Gojri and Pahari are the mother tongues of a substantial segment of the population on both sides of LOC India and Pakistan, its speakers can be found in numbers in the nook and corner of the Union Territory. Other native languages spoken as mother tongue do have their area of influence but very limited reach. Kashmiri for instance is spoken in the valley. Dogri, Punjabi, Mirpuri, and between the right side of river Chenab and Pir Panjal various mother tongues are modes of communication like Pogali, Hambal-Gooha, Siraji, Baderwahi, Saroodi, Bheelsavi, Padri and Kishtwari etc. Gojri and Pahari are the only two languages spoken on both sides of Pir Panjal and LoC.

Goiri Language included in the 6th schedule of the J&K Constitution in 1999. Gojri should have been on the concurrent list after Kashmiri while framing the 6th schedule on merit. The demand for including into the 8th schedule constitution of India was made by the writer, poet of the Gojri language many times, and ultimately authorities were forced to think about the inclusion of the

Gojri language in the 8th schedule of the Constitution.

Our Nation is known for diversity and this diversity is all because of languages spoken here. As such we strongly project that this largely spoken language be properly documented and researched in the academic circle. This is high time for those who are at the helm of affairs to consider the introduction of the Gojri language in the curricula of Higher Educational Institutions in Jammu and Kashmir. There is a need for a Separate Department of Gojri and Pahari to be created in Colleges and Universities in the interest of the preservation of this rich and historic

Moreover to further promote the interest in this language Serious thought is to be given towards initiating the teaching of and learning of the Gojri and Phari language at UG and PG levels as per the new Education policy 2020. Even it is envisaged in New Education Policy that up to primary Education teaching and learning process will be initiated in the mother tongue, same is needs to carried to higher classes and up to the Ph.D. level as a separate subject

The new National Education Policy (NEP) recommends that all students will learn three languages in their school under the 'formula'. At least two of the three languages should be native to

A student in Mumbai is learning Marathi and English, he/she will have to choose to learn another Indian language. Three-language formula, teaching/learning Hindi will be mandatory in those states where the language is not usually

The choice of languages learned will depend on the state and the students. However, it is mandatory for at least two of the three languages to be native to the country - one of which is most likely to be the local/regional language.

Although the Ministry of Education says that "no language will be imposed on any student, wherever possible, the medium of instruction until at least Class 5TH, but preferably till Class 8TH and beyond, will be the home language/mother tongue/local language/regional Wherever possible" language/mother tongue should be used. Therefore the school is likely to continue teaching in their medium of instruction and use the local language when High-quality textbooks, including in science, will be made available in home languages

In cases where home-language textbook material is not available, the language of the transaction between teachers and students will remain the home language wherever possible. Teachers will be encouraged to use a bilingual approach, including bilingual teaching-learning materials, with those students whose home language may be different from the medium of instruction.

Goiri books to be introduced in Government schools from 1st to 8th class. A good number of books are available in the Gojri language which can be taught to the students in schools and college level.

Many religious books and other books were translated into Gojri by eminent writers, It was in the early seventies that AIR Srinagar, AIR

Jammu, CIIL Mysore, and JK Cultural Academy played significant roles in the development of the Modern Gojri Language and litera-

We at an individual level, working wholeheartedly have authored more than three dozen volumes on different aspects of the Goiri language without any official position/patronage, thus fulfilling all the requirements for its inclusion in prestigious institutions within and outside J&K. Today Goiri is spoken /understood by over 50 million people in the Sub-Himalayan Indian States

as well northern parts of Pakistan & Afghanistan. Many universities have undertaken M.Phil / Ph D level research in Goiri including DIL JNII IIU Islamabad, Harare University, Allama Iqbal Open University, Lahore, Punjab University Lahore, and Peshawar University.

However, at the same time, it is excruciating to share that Kashmir and Jammu universities have not exhibited any interest in this regard although Central University started a Certificate course in

The BGSBU accepted the demand for introducing M.A. Course in Gojri & Pahari in 2022 and advertised the faculty positions for Gojri & Pahari. The matter had already been taken up with the Prime Minister, Home Minister, Education Minister Govt of India, and Lieutenant Governor for introducing the Gojri and Phari Language in Universities, colleges, and schools education so that Justice may be done with a regional language.

(The author is former Director School Education Jammu)

Modi Government broke down the shackles of colonial legacy

OMKAR DATTATRAY

rodi government on Monday first July 2024 implemented new and reformed Criminal laws as these came into effect across the country .It resulted in breaking the centuries old shackles of colonial legacy and freed the legal system from the British era criminal laws .The real freedom is now possible and will be experienced by the people as the mindset of British slavery has come to end after about 70 years of the self rule and independence and the freedom of India from the British yoke has in fact no real meaning without scrapping the colonial laws which were the signs and symbols of British slavery and Modi created history by scrapping the colonial era criminal laws and replacing the three criminal laws of British era with the Indian and indigenous laws which are in accordance with Indian needs requirements and circumstances .It is in fact a historical day in Indian Criminal Justice System as new Criminal laws came into effect throughout the country including UT of Jammu and Kashmir on Monday and it is no less than scripting new history .The commencement of three new laws namely Bharatiya Nayaya Sanhita, Bharatiya Nagarik Suraksha Sanhita and Bharativa Sakshva Adhinivam breaks the centuries old shackles of colonial legacy and thus it is very historical and reformative step which led to the replacement of the British era and colonial criminal laws with Indian and indigenous laws most suitable to Indian conditions and requirements . This is the historical and momentous occasion that the new criminal laws came into force in the country after scrapping the colonial criminal laws which were in force

J&K LG Manoj Sinha has rightly commented

that the new laws will ensure justice and equality for all ,moving away from repressive colonial framework and this is an extra ordinary feat achieved by Modi government .This led to reformation and total overhaul of the criminal legal system which are rooted in the principle of liberty and fraternity and are proof of our commitment to safeguard the vulnerable and ensure justice to all. .Home Minister Amit Shah has said the new criminal laws will ensure justice top people within three years of registering FIR and it is hoped that the crime will be reduced. Justice under the new laws will be delivered up to the level of the Supreme Court in all the cases within the three years of registration of FIR. There will definitely be reduction in the crime rate in the country as 90 percent reduction in crimes is expected under the new criminal laws .The new three laws replaced the British era Indian Penal Code Code of Criminal Procedure & and the Indian Evidence Act . Now with these three criminal laws India will have most modern criminal justice system in the world which will rid the society from crimes to

some extent. The Bharatiya Nayaya Sanhita replaced the Indian Penal Code of 1860, focusing on restorative justice and victim rights. This new law shifts the focus from sheer punishment to rehabilitation and reintegration .It aims to address the root causes of the crime and offer offenders a chance to reform and contribute positively to society .This is thus a very reformative law which will reform the legal system and is most needed in the country. The Bharatiya Nagrik Suraksha Sanhita replaces the Criminal Procedure Code of 1973, ensuring swift and fair trails.

This law will reduced delays in the delivery of

justice ensuring that justice is not only done but seen to be done .The Bharatiya Sakshya Adhiniyam replaces the Indian Evidence Act of 1872, modernizing evidence collection and use .With the introduction of new criminal laws the criminal cases will be decided in time bound manner thus avoiding unnecessary delays. The commencement of the new laws is a new chapter in the country's criminal legal system . The three laws will bring speed in the delivery of justice with the use of modern technology and digital and electronic use .Modi government has taken a breathtaking step to revolutionize the criminal justice system and the whole credit for this replacement and commencement of the new criminal laws goes squarely to Modi

Congress failed to replace the colonial era laws during last 70 years as it is obsessed with slave mentality and now Modi government has replaced the three criminal laws with new laws which is epoch making and no less than creating a history by the Modi government .it is so good that with the three new criminal laws, the issues of terrorism sedition and mob lynching will be addressed and it will make India to control and fight back these crimes in shortest time possible and it is no less than a revolution in the criminal justice system the benefit of which will go to the people .Far reaching changes have been made in the criminal justice system and the new criminal laws are fully capable of dealing with Pak-sponsored terrorism. The two new things in the new criminal laws is justice in place of punishment and security which means that the new laws will not only punish guilty but will also provide justice to the victims .The new criminal laws are reformative than merely punitive and these will help in

the speedy delivery of justice and reduce the pendency of criminal cases in judiciary.

In a significant development, the first FIR's under the Bharatiya Nayaya Sanhita -BNS have been successfully registered at the Model Police Stations in Doda and Reasi districts besides Udhampur ,Ramban & Jammu districts of Jammu division also .Jammu and Kashmir police on Monday registered the first FIR's under BNS in Anantnag ,Srinagar ,Baramulla Kulgam and police district Sopore. This historic event marks the beginning of a new era in the justice delivery system within the Kashmir Zone .The new laws based on individual freedom and human rights reflect a major shift towards a more humane and just system.

The new criminal laws will help in the quick justice delivery and will ensure justice to not only to the accused but also to the victims. Prime minister Modi and Home minister Amit Shah deserves all commendation and appreciation for taking a historical and epoch making step to replace the present criminal laws and for replacing overhauling and in fact revolutionizing the criminal justice system to make it in tune with the needs, requirements and socio-economic and politico cultural system of the country. In brief with the replacement of the colonial laws with new criminal laws the signs and symbols of British slavery are being obliterated and it will result in new mindset of the people free from British slavery. The political parties across the spectrum should welcome this reformative step and the countrymen as well should also welcome the commencement of the new laws which are in the interest of the people.

(The author is a columnist, social and KP

NEW CRIMINAL LAWS

■ K.V. SEETHARAMAIAH

he new criminal laws - The Bharatiya Nyaya Sanhita (BNS) replacing 163-year L old Indian Penal Code, Bharatiya Nagarik Suraksha Sanhita (BNSS) replacing 126-year old Criminal Procedure Code and Bharatiya Sakshya Adhiniyam (BSA) replacing 151-year old Indian Evidence Act have evoked mixed opinion from among the experts. Legal fraternity feels that the old laws have to be continued for 20years. This is ridiculous suggestion. Nobody can predict what happens in one or two years. Suggestion for introduction of the new laws after 20 years is like asking for not implementing the new laws. As is the wont, Opposition parties have been unanimously and unitedly opposing the laws. Opinion in favour of new laws by the ruling parties and opinion against the new laws by the opposition parties can be brushed aside for a moment. The opposition parties do not want the implementation of the new laws not based on their merits or demerits. But they are opposed by the opposition parties for the reason that it was discussed in their absence in Parliament during the previous Lok Sabha. If they can admit that it was discussed in the previous Lok Sabha, their absence for no good reasons during the

debate and discussion at that point of time is no

Nobody had prevented them from taking part in discussions and debates. They should have taken the issue seriously to take part in the discussions and debates. That cannot be the valid reason for non-implementation of the new laws.

The previous Lok Sabha Members had as much the same value as the present Lok Sabha Members. The apprehension that a smooth rollout of the new codes may not be possible is baseless. Earlier every small transaction took place through cash payments only. Payment through cheques was only cashless transaction. People have now accustomed to G-pay, phone pe, credit and debit cards, digital wallets, bank transfers, mobile payments, buy now pay later, cryptocurrency, prepaid cards etc. Even a street vendor makes use of payments through mobile. The custodians of laws are not illiterates. They are highly qualified persons and capable of understanding and implementing the laws. Implementation of the new laws gradually comes into practice. Therefore the implementation of new laws may not face any kind of impediments unless the opposition parties thwart the bid to Piloting the Bills in implement them.

Parliament, Union Home Minister Amit Shah had rightly said "These laws are made by Indians, for Indians and by an Indian Parliament and marks the end of colonial criminal justice laws". With the new laws coming into force from July 1, 2024 the British era laws are bid adieu. The opposition parties had stood fairly good chance to participate in the discussions and also to suggest for adding to or deleting any clause from the draft Bill. Now there is no point in crying over the spilt milk. It has been claimed that the new codes have several firsts. They, inter alia, include community service as punishment for petty offences and the use of electronic and digital records as evidence has gained ground. Summons can be issued through electronic mode and the videography of crime scenes is mandatory. "Terrorism" has been redefined in the new codes, sedition law has been repealed and in its place a new section titled "offences against the state" has been introduced. BNS lists offences such as acts of succession, armed rebellion, subversive activities, separatist activities or endangering the sovereignty or unity in the new avatar of the sedition law. Another important aspect of the new laws is that the judgment in criminal cases will have to come within 45 days of the completion of trial and

charges must be framed within 60 days of the first hearing. Much relief cannot be obtained by just making it mandatory to deliver the judgments within 45 days of completion of trial. It is but necessary. Apart from it, the hearing date should not leave yawning gap between one date of hearing to another. What is the use if the case is heard for 30-40 years and judgment is given within 45 days after last hearing? Most of the cases come to end with the death of one or both the litigant parties. Same advocate cannot be expected to handle the case till its end considering the delay involved in the disposal of the cases. Delayed delivery of justice is the bane of litigant public. It is easier to frame the laws. But most of the laws are being honoured more in breach than in observance. When enquiries are conducted, enquiry reports are not submitted within a stipulated time inspite of written instructions to that effect. Proper and implementable laws have to be framed. A law that cannot be implemented should have no place.

At the same time politically motivated opposition to laws should also have no place. No law can be framed to the advantage of a ruling party, because today's ruling party may be tomorrow's

YOUR COLUMN

Childhood becomes Silent

Dear editor,

n many dimensions of the social environment, the family circle is considered to be the smallest unit, the thread of whose fabric binds all the members of the family in some way or the other. Once upon a time, all the members of the family used to fulfill their responsibilities very well and they remained associated with the aura of spontaneous discipline. All the members of the joint family used to shake each other in harmony and spread cordial waves, due to which peace and tranquility was maintained in the family.

The Ganges of mutual harmony and understanding used to flow in the relationships between uncle-aunt, brother-sister, husbandwife etc. In my childhood, when I made excuses for not going to school early in the morning, my mother and aunt used to coax and force me to go to school. The changing times today have made many situations fast-paced. Even though on average human daily routine is normal in rural areas today, but in urban living, especially nuclear families are facing many difficulties. Availability of limited resources in the family and attention towards material needs. This desperate desire has created an ideological uproar in the family courtyard. The severe lack of tolerance has also created tension and discord in the family over small matters. Such a situation is now commonly seen in almost every home, where especially teenagers sit in silence during angry arguments or fights with their

At that time their mental impulses become very sensitive and adversely affect their thinking system. In this situation they have to go through a period of emotional and cognitive weakness. Compulsion occurs and this condition leaves a long-term impact on their brain. The natural talent of dynamism of the childish mind in him seems to be going towards deviation. The echoes of confrontational or angry parents' shouting have less impact on children's ears, but more on their minds. A line of fear is drawn in their mind and they start imagining that their parents might leave them and go somewhere else. Some such incidents also happen. Psychologists who study the child mind say that in this situation children become negativity. They become victims and their education gets affected.

Unhealthy arguments between parents in front of children jeopardize their sense of security, due to which the child's development gets hampered due to not getting natural behavior skills. Parents who are busy fighting among themselves do not realize that their behavior leads to increased guilt and lack of self-confidence in their children. In the above circumstances, children also learn the aggressiveness of their parents, which gradually leads to hurting their self-

esteem. While making him happy, it makes him short-tempered. Due to going through this condition frequently, when children become uncomfortable and unusual with their current reality, they become victims of a miserable state and become self-depreciating and introverted. When these children grow up, due to the unfavorable environment at home, they seek shelter from their peers and face various kinds of problems. They become carriers of bad ten

At home, in situations arising out of disputes between the family or parents, children's playfulness, joy and child-friendly activities start moving into the background. Since the home and courtyard is the primary school of children, where they acquire good and bad habits, most of the children are deprived of other good habits adopt ed by the society due to the wrong actions of their parents. Due to being freed from the natural responsibility of love, affection and proper care, many children in the present times. I start looking for my future in mobile. Along with their sleep, studies and appetite are also affected in some way or the other. The question is how to handle the future of the teenager moving towards this adverse direction and condition. The main responsibility for this lies with the parents of the children. If the parents do not control their ego and anger and lead a normal married life, then no power in the world will be able to save this generation.

The ill effects of the disintegrating school of family are the conse quences of life. This is being seen in the area, for whose protection it is mainly the parents who need to come forward and put aside mutual differences and bitterness. They should keep in mind that their conduct is pushing the future of the children in their backyard