

# **9pm Compilation**

**July, 2021 (Third Week)**

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2. Family mis-planning
3. Sudden interest in 'population control' in Assam and UP points to political bad faith
4. How we fail our culture

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# General Studies Paper - 1

## General Studies - 1

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### 1. Tapping on the potential of the youth

**Source:** [The Hindu](#)

**GS1:** Population and Associated Issues

**Relevance:** This article explains the challenges in reaping the benefit of demographic dividend.

**Synopsis:** India needs to focus on safeguarding young people's well-being because India's welfare is dependent on them.

#### Background:

- World Population Day is marked on July 11 every year to focus attention on the importance of population-related issues.
- It was first observed by the **United Nations Development Programme (UNDP)** in 1989.
- It aims to promote sustainable ways to safeguard each life.
- As per UNDP report and the Lancet, India will stabilize its population 12 years earlier than expected.

Therefore, **India has lesser time to leverage the 'demographic dividend'.**

#### Why India needs to focus on demographic dividend?

- Firstly, India's 'demographic dividend' represents the **potential for economic growth**. However, transforming this potential into reality requires adolescents and youth to be healthy and well-educated.
  - At 253 million, **India's adolescent population is among the largest.**
  - The median age of the population is less than 30 years.
- Secondly, India's **underfunded education system** is inadequately equipped to provide the skills to young people.
  - According to the World Bank, public expenditure on education constituted 4.4% of GDP in 2019 and only 3.4% of GDP in 2020.
  - India stands **62nd in terms of public expenditure per student**, and fares badly in quality of education measures such as student-teacher ratios.
- Thirdly, **COVID-19 has worsened the state of education**. School closures have a serious impact on the lives and mental well-being of children.
  - In India, more than 32 crore students have been affected by the nationwide lockdown due to COVID-19.
  - Of these, about 15.8 crores are female. Many of those who have dropped out are unlikely to go back to school.
- Fourth, the impact of the **pandemic on adolescents** has been severe, especially the **mental well-being**.
  - 17% of young people likely to be suffered from **anxiety and depression**.
- **Lastly**, increased poverty levels during the pandemic may result in early marriages of girls in India and gender violence.
  - Child marriage as a strategy to address household poverty has been noted in India in general.
  - Adolescent girls are at high risk, given their vulnerability to abuse and trafficking, especially if primary caregivers fall ill or die.

### What needs to be done?

- **Allow a decentralised approach** where district-level officials may reopen schools in a phased manner based on local COVID-19 transmission rates.
  - In **Odisha, for example, community schools** have re-opened in some areas.
  - **Prioritising the vaccination** of teachers and school support staff with a mix of **online and offline**
- **Collaborative actions and better inter-sectoral collaboration** by key ministries, government agencies, and civil society are needed.
  - The Ministry of Health and Family Welfare must collaborate with the Education Ministry to disseminate key information to help adolescents safeguard their health and ability to learn.
  - **Teachers can work as volunteers** to collaborate with frontline health workers to distribute sanitary napkins to girls.
  - The Health and Education Ministries should strengthen outreach via existing helplines and by enabling conversations on critical issues regarding reproductive and sexual health.
- **Improved nutrition benefits learning.**
  - It provides an incentive for parents to send their children to school on the assurance of one nutritious meal.
- Need to learn from **East Asia's economic miracle of 1965-1990.**
  - East Asian countries developed social, economic, and political institutions and policies that allowed them to realise the growth potential created by the transition.
- That is why India needs to generate a virtuous cycle with healthier and educated young adults contributing to secure India's future.

### Terms to know:

- [UNDP](#),
- [Demographic Dividend](#),
- [ILO](#),
- [World Bank](#)

## 2. Family mis-planning

**Source:** [Indian Express](#)

**Syllabus:** GS 1 – Population and associated issues

**Relevance:** It is a critical analysis of the UP's new proposed population law.

### Synopsis:

UP's new population policy and draft law try to use punishment as a tool to control fertility levels. However, evidence shows that focusing on education and empowerment of women can yield better results, as seen in southern states.

### Background:

- A new population policy released by the U.P government aims to bring fertility levels down. It also aims to create a **population balance among various communities.**
- Similarly, a **draft of the Uttar Pradesh Population (Control, Stabilisation, and Welfare) Bill, 2021** was published a few days ago and is currently open for public feedback.



- It states that any citizen who “violates” a two-child policy would be barred from:
  - contesting local bodies polls,
  - applying for, or getting promotion in, government jobs, and
  - even receiving government subsidies.

**Problems associated with New population policy and Draft Law:**

- **First**, the aim of establishing a population balance among communities might breed **polarisation and communal disharmony** in the state.
- **Second**, this policy is based on punitive theory, which **disproportionately targets the poor** vis-à-vis the rich population.
- **Third**, India is **not being threatened by a “population explosion”**. The National Family Health Survey (NFHS) and Census data show that in most states, and many urban areas, the total fertility rate (TFR) has already reached replacement levels (2.1).
  - On a national level, TFR has declined from **3.4 in 1994 to 2.2 in 2015**. Decadal growth rates have declined across all religious communities, with the fertility rate falling faster among Muslims than in Hindus.
- **Fourth**, China’s recent policy reversal of its restrictive child-bearing norms points to the **limits of measures of state engineering of population**.
- **Fifth**, it is an **anti-democratic practice** that impairs a citizen’s right to choice and his/her sexual and reproductive rights.

**Way Ahead:**

- The success of India’s southern states in containing population growth indicates that economic growth, as well as attention to education, health, and empowerment of women, work **far better to disincentivize larger families than punitive measures**.
- Hence, any government interested in supporting fertility decline must work on the education and empowerment of women and respect their choices.

**3. Sudden interest in ‘population control’ in Assam and UP points to political bad faith**

**Source:** [The Hindu](#) and [The Indian Express](#)

**Syllabus:** GS 1 – Population and associated issues

**Relevance:** Population control measures have to be rational and focus on welfare-based approach

**Synopsis:**

States **should tackle the socio-economic issues** confronting India’s largely youthful demography **rather than seeking** a stringent approach towards **population control**.

**Introduction:**

A [new draft Bill prepared by the Uttar Pradesh \(UP\) Law Commission](#) seeks to control the population by introducing a two-child policy.

Similarly, the **Assam** CM has also expressed concern over the “population explosion” amongst the Muslim community in the state. He has further reiterated that **stringent population control is the only way forward** to bring about development for the community.

**Challenges with the population control policies:**

- **Against Central government argument:** Ministry of Health and Family Welfare argued in Supreme Court last year that “international experience shows that **any coercion to**

have a certain number of children is counter-productive and leads to demographic distortions”.

- The Government further confirmed that **India was committed to its obligations under international law**, including the principles contained in the International Conference on Population and Development Programme of Action, 1994.
- **Against Court Judgements:** Supreme Court in various cases upheld the **right to reproductive freedom**.
  - In **Suchita Srivastava & Anr vs Chandigarh Administration (2009) case**, the Court found that a **woman's freedom to make reproductive decisions is an integral facet of the right to personal liberty** guaranteed by Article 21.
  - In **K.S. Puttaswamy vs Union of India (2017) case**, the court held that the Constitution sees a person's autonomy over her body as an extension of the right to privacy. This also includes reproductive rights. Further, the UP's draft bill is in violation of the doctrine of proportionality mentioned in the Privacy judgment.
  - In the **Devika Biswas vs Union of India (2016) case**, the Court pointed that sterilization camps have a disparate impact on minorities and other vulnerable groups. The draft UP law could lead to a proliferation of sterilisation camps.
  - In the **Javed & Ors vs State of Haryana & Ors (2003) case**, the Court upheld a law that disqualified persons with more than two children from contesting in local body elections. But the UP's proposed law is far more disproportionate.
- **Population “explosion” is a bogey:** Many Indian states are moving towards achieving a total fertility rate (TFR) of 2.1 with voluntary population control measures. So, population explosion is not occurring in India.
  - For instance, In **Assam** where the government is talking about population explosion, the **TFR** has dropped from 2.2 in 2015 to **1.9 in 2020-21**.
- The **Population Foundation of India** has rightly **pointed out** that a strict limit on the number of children, like the two-child norm, will unleash a **rapid increase in divorce and sex-specific abortions**. It would be highly detrimental to the future of the nation.
  - One needs to remember that the child sex ratio of India has already been in a steady decline, dropping from 945 in 1991 to 918 in 2011.
- Population control policies **cannot be framed for one particular minority community**. According to NFHS-4, in 22 states, the fertility rate of Muslims was lower than that of Hindus in Bihar. So, the government has to focus on better service delivery of modern contraceptive methods.

**Read more:**

- [Population control measures in India – Explained, pointwise](#)

**Terms to know:**

- [National Family Health Survey \(NFHS\)](#)
- [Total Fertility Rate \(TFR\)](#)
- [The doctrine of proportionality](#)
- [International Conference on Population and Development, 1994](#)



#### 4. How we fail our culture

**Source:** [Times of India](#)

**Gs1:** Culture and Heritage in India

**Relevance:** Culture and heritage should be given importance in government policies. Presently, it is being neglected.

**Synopsis:** India is a great civilization. But no government makes institutional investments for protecting its heritage.

#### Status of priority to culture and Heritage in India

- **Successive governments in India have given neglected culture**
  - One, Cabinet does not involve a full-time minister of culture.
  - Two, persons that do not have any specialized knowledge of culture are being posted as ministers.
  - Three, governments have also invariably clubbed culture with another portfolio. More preferably, with the Tourism ministry.
  - Four, it is overrun by bureaucrats who rarely know anything about culture, and most consider it a punishment posting.
- **Inadequate Budget**
  - One, the ministry of culture (MoC) is inadequately budgeted, and even the meager amount allocated is not fully spent.
  - For instance, Parliament's Standing Committee on Culture pointed out that in 2010-11, the actual expenditure by the MoC as a percentage of the GDP was as low as 0.017%.
  - Institutions like the Indian Council of Cultural Relations, which are meant to propagate Indian culture abroad, have little or no money beyond what is required for fixed costs.
- **Vacancies:** As of March 31, last year, 262 out of 878 posts in the Akademies were lying vacant.
- **Consequences of ignoring Culture**
- When culture is not institutionally invested in, it has two unfortunate consequences.
- **The first is cultural indifference, leading to a lack of interest in our own heritage.**
  - One manifestation of this is the loss of balance between popular and classical culture.
  - For instance, in our country, even the finest classical dancers, who represent a tradition refined over thousands of years, find it difficult to fill an auditorium, even when the performance is free.
- **The second consequence is cultural xenophobia based on cultural illiteracy.** When people don't know enough about their own culture, they are easily swayed towards unwarranted cultural militancy to compensate for their lack of knowledge.
- **There are other indirect consequences.**
  - Today, the land of the Natyashastra, Ajanta, and the ateliers of the Mughals, has no world-class galleries.
  - There are only a few curators, shabby art auditoriums, neglected museums, crumbling monuments,
  - Further, there are almost no serious discussion on art and culture, and worst of all, no committed audiences.
  - Artists of great talent languish in neglect, deprivation, or even penury.

**How other countries are investing in Culture?**

- China has built over 150 modern galleries in Beijing, along with an art district. Additionally, the Chinese have invested in over 100 museums created to world standards.
- Singapore, Thailand, and the Philippines are investing in a dozen state-of-the-art museums each.
- Hong Kong has devised a new cultural plan worth several billion dollars.
- The UAE has earmarked over \$30 billion for museums and art programs

# General Studies Paper - 2

## General Studies - 2

### 1. Bangladesh boom fuels Indian exports

**Source:** [Live mint](#)

**Gs2:** India and its Neighborhood- Relations.

**Relevance:** The article explains the benefits of Bangladesh's economic growth for India.

**Synopsis:** The rapid Economic growth of Bangladesh has many advantages for India.

#### Background

- Bangladesh jumped four places to become India's fifth-largest export destination in the year 2021.
- While India's exports to many of its traditional markets shrank because of the pandemic, its exports to Bangladesh reported an increase.
- Exports to Bangladesh grew 11% in the previous fiscal year even as India's overall exports contracted 7% because of the pandemic, according to government data.
- While the US (\$51.6 billion) remained India's top export destination, China (\$21.2 billion) became the second-biggest export market, surpassing the United Arab Emirates (\$16.7 billion).
- However, Bangladesh overtook other countries such as Singapore (\$8.7 billion), the UK (\$8.2 billion), Germany (\$8.1 billion), and the Netherlands (\$6.5 billion) to reach the 5th position.
- In FY21, India's top export items to Bangladesh were cotton and cotton yarn (\$1.5 billion), electricity (\$517 million), fuel (\$496 million), rice (\$354 million), and corn (\$328 million).

#### What are the Potential benefits for India owing to the rise of Bangladesh?

An expert from Centre for Policy Research, said the rise of Bangladesh as a sub-regional economic power is unambiguously good for India.

- **Export Market:** its growing middle-class provides a big market for Indian agriculture and manufactured goods, as well as for services. For instance,
  - Bangladesh depends heavily on its ready made garments sector, as it accounts for 45% of its manufacturing GDP and 85% of its exports. Whereas, India has for several years been a major supplier of cotton and cotton fabric for Bangladesh's ready made garment industry.
- **Medical Tourism:** Bangladesh is already the biggest source of medical tourism to India.
- **Source of FDI:** Significantly, its increasingly ambitious private sector can be a major source of foreign direct investment in India's North-East, and India's northeastern states.
- India should also pay special attention to help Bangladeshi firms access India's vast market.

### 2. Our children need education. How much longer can schools remain shut?

**Source:** [Indian Express](#)

**Syllabus:** GS 2 – Issues Relating to Development and Management of Social Sector/Services relating to Health, Education, Human Resources.

**Synopsis:**

The pandemic resulted in school closures across the country. Children were then educated using the digital medium, however, it failed to generate positive outcomes like classroom learning. Therefore, the government should now focus on the gradual and cautious reopening of schools in the country.

**Background:**

- Schools have remained closed since March 2020 in order to protect the children from the pandemic.
- There has been sporadic opening of schools for older children, but the government hasn't shown any willingness to reopen for the remaining lot.

**Need to reopen the schools:**

1. **First**, there are **multiple issues with virtual learning**:
  - It has reduced the “collaborative magic of the classroom into little more than an instructional video”.
  - Teachers try their best, but have **limited ability to teach fundamental concepts and enforce discipline**; young students have limited ability to learn.
  - Concerns around screen-time have **reduced school hours by one-third** for our young children.
  - More importantly, **behavioral changes** such as impatience and aggression are emerging. Older children are developing depression.
  - The physical development of children is hindered as they are unable to play sports.
2. **Second**, there is a **digital infrastructure deficit across the country**. According to **Save the Children**, during the first wave in 2020, three out of every four children had no internet access and four out of five children reported obstacles to learning.
3. **Third**, many parents can't assist their children given their **lack of digital literacy**.
4. **Fourth**, many children have been **deprived of mid-day meals**, thereby increasing the burden on already struggling families. There are **reports of children being forced into child labour and marriage** as well.
5. **Fifth**, the rationale behind school closure was safety, but the **opening of other indoor spaces has already exposed the children to the virus**. Even if children stay home, they are exposed if adults go out.
6. **Lastly**, according to the **Asian Development Bank**, every year of schooling lost causes a 9.7% reduction in potential earnings.
  - The estimated present value of learning losses due to prolonged school closures in developing Asia (including India) is \$1.25 trillion or **5.4 per cent of the region's 2020 GDP**.

**Way Ahead:**

- The **Lancet COVID-19 Commission India Task Force** has recently recommended reopening of schools with adequate safeguards as Covid-19 cases decrease. Safety of children must be balanced with physical and mental development.
  - Further, **the Indian Academy of Paediatrics** stated that it was highly unlikely that the third wave will predominantly or exclusively affect children.



- The focus should be placed on **rapid vaccination of school staff**, as widespread vaccination of adults helps protect unvaccinated children.
  - According to **a recent Israeli study**, for every 20 % increase in the share of vaccinated (16-50 years), the share of unvaccinated under 16 years who tested Covid positive decreased by half.
- **Our elected leadership must consult experts** to formulate a roadmap for safe reopening of schools. For instance, a hybrid model could be adopted for restoring connections between teachers and students and improving the efficacy of virtual classes.
  - Schools will need to implement measures such as sanitisation, frequent testing, ventilation, reduction in class sizes and staggered drop-off and pick-up.
- The above will involve considerable effort and cost, and it may entail start-stop openings and closures. However, with appropriate safeguards, this will reinstate children and teachers in the classroom and parents in the workforce.

**Terms to know:**

- [Asian Development Bank \(ADB\)](#)

**3. Judges are arbiters, not lawmakers**

**Source:** [Indian Express](#)

**Syllabus:** GS 2 – Separation of powers between various organs of the government

**Relevance:** Separation of power is a part of the basic structure of the constitution. It should be strictly adhered to.

**Synopsis:**

The pandemic era witnessed judicial intervention in the domain of executive and legislature, thereby undermined the separation of powers. Judges must realize that they are arbiters, not lawmakers, and should not encroach on the functions of the executive and legislature.

**Background:**

- In the wake of the coronavirus's second wave hitting its peak, there have been some very interesting observations from the higher judiciary.
- The judiciary has been encroaching on the domain of executive/legislature, thereby undermining the separation of powers.

**Instances of Judicial intervention:**

- On April 24, a Division Bench of the Delhi High Court observed that it will “**hang any person**” who tries to obstruct oxygen supplies to hospitals in Delhi.
- A bench of the Madras High Court said on April 27 that the Election Commission is singularly responsible for the second wave. It should probably be tried on murder charges for its failure to ensure adherence to Covid-19 protocols.
- On June 1, the Delhi HC directed the government to prioritize younger people over older ones when it came to administering Amphotericin-B, a drug used to treat mucormycosis.
  - The court observed that the young are the “future of the country” and need to be saved, while the elderly have “lived their life”.



**Problems associated with Judicial intervention:**

1. **First**, it undermines **the spirit of the constitution** by violating the doctrine of separation of powers.
2. **Second**, it **disrespects people's sovereignty**, as the legislature is elected by the people. Further, any lacunae in functioning can be duly checked by people in the next elections rather than by the unelected judiciary.
3. **Third**, the intervention also **disregards former judgments** of the apex court.
  1. **Census Commissioner & others v. R Krishnamurthi Case:** The Supreme Court (SC) held that it is not within the domain of the court to legislate.
  2. The courts have the jurisdiction to declare the law as unconstitutional, but not to plunge into policy-making by adding something to policy by way of issuing a writ of mandamus.
  3. **Union of India v. Indian Radiological & Imaging Association:** It was held that the wisdom of the legislature in adopting the policy cannot be substituted by the court in the exercise of the power of judicial review.
4. **Fourth**, persistent intervention **creates distrust** between organs of government and impedes smooth governance.
  1. Courts didn't intervene in policy formulation nor took upon themselves the task of arranging oxygen, medicines, and vaccines in any other country owing to the trust of the legislative/executive organ.

**Way Ahead:**

- There is a need for judges of superior courts to exercise restraint over their powers of judicial review.
- Further, the judiciary should focus on curtailing the rising pendency of cases. This would be a more useful and purposive use of the courts' time than to encroach into the arena of the Executive/Legislature.

**Terms to know:**

- [Election Commission of India](#),
- [Judicial restraint](#),
- [Judicial review](#)

**4. Did central planning end in July 1991?**

**Source:** [Business Standard](#)

**Syllabus:** GS2

**Relevance:** Understanding issues involved with central planning

**Synopsis:** Regulation in India has often tilted towards central planning. There is too much control vested with regulators in India, RBI's recent decision to ban the storage of customer card data is just one such example.

**Market economy vs central planning**

- In a market economy, decisions about the design of products and processes are made by private people under the influence of customer preferences and competition in markets. Whereas under central planning, the government chooses such technical details.

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- In a market economy, it is the market that decides who wins. Under central planning, the winning technology, the winning product category, or the winning firms are those backed and blessed by the government.

The philosophy of **control** is the core idea behind central planning.

RBI's response to data leaks

Leaks of personal data from online websites have been in the news. RBI's response to these leaks has been to put out a regulation, effectively banning the storage of customer card data by payment aggregators (PAs), payment gateways (PGs), and merchants.

- This ban is excessive, has not emerged out of a cost-benefit analysis, and has followed a weak public consultation process.
- RBI's response indicates that the above-mentioned philosophy of control inherent to central planning is still widespread in India.
- Problems with RBI's move
- **Disruption to consumers:** Individuals have been storing card details on merchant websites to make regular payments, without having to enter their card details each time they visit the website. The new RBI regulation disrupts this service. Now, additional time will be spent on supplying information every month for millions of transactions.
- It forces costs upon firms in technology development and tilts consumer preference towards certain payment technologies.
- There is a possible risk of technological choices being substantially shaped by the RBI, of a government that picks winners.
- The regulation does not demonstrate how it meets the **proportionality test** laid down by the Supreme Court (SC) in the case of *Internet Mobile Association of India v. Reserve Bank of India (2018)* for delegated legislation.

### Issues with regulating bodies

**Problem of democratic legitimacy:** When unelected officials (in regulating bodies) write law, there is the problem of democratic legitimacy.

- **Consultation:** The first pillar of due process, through which democratic legitimacy is achieved, is consultation. The public consultation process of the RBI has been lacking. The discussion paper released by the RBI in September 2019 did not offer a complete ban as a potential policy choice. The document announcing the ban did not show the alternatives to the ban, which were considered by the regulator. RBI should publish the results of the consultation process.
- **Possessing and displaying technical expertise** is the second pillar through which regulators achieve democratic legitimacy. A proper cost-benefit analysis should be done. Alternative tools which are least coercive should be the first choice.

### Conclusion

Under conditions of low state capacity, regulations in India have often tilted towards central planning and control, where enforcement has been selective and weak. An emerging Indian jurisprudence has started questioning the working of regulators and the checks and balances surrounding the powers of officials in regulatory agencies.

**Terms to know:**

- [Doctrine of proportionality](#)

## 5. Constitutional crisis in Uttarakhand – Explained

**Source:** [The Hindu, Indian Express](#)

Syllabus: GS2 – Polity

**Relevance:** Understanding the recent constitutional crisis in Uttarakhand

**Synopsis:** Uttarakhand Chief Minister resigned recently. Various constitutional issues involved and the probable future course of action by Election Commission of India

### Background

Citing “constitutional crisis”, Uttarakhand Chief Minister Tirath Singh Rawat recently submitted his resignation to Governor due to uncertainty over his election to the state assembly within the stipulated six-month constitutional deadline.

According to Article 164 of the Constitution and Section 151A of the Representation of the People Act 1951, UK Chief Minister had six months — till 10<sup>th</sup> September — to become a member of the Uttarakhand Assembly in order to continue in the post. He took over as chief minister on 10<sup>th</sup> March 2021.

The term of the Uttarakhand Assembly will end in **less than a year**, in March 2022, which has complicated the constitutional crisis in the state. It is leading to speculations on whether the Election Commission (EC) can **hold by-polls** in such a situation.

### Constitutional position

- **Article 164(4)** of the Constitution allows a non-legislator to occupy a post in the council of ministers, including the office of the chief minister, only for **six months**. If he **doesn't get elected within this period**, the Constitution says he “**ceases to be a minister**”.
- **Section 151-A of the Representation of the People Act 1951** states that a “*a bye-election for filling any vacancy...shall be held **within a period of six months** from the date of the occurrence of the vacancy*”. However, there are two exceptions in this section.
  - **Exception 1:** A by-poll **need not be held**, if the remainder of the term of a member in relation to a vacancy is less than one year;
  - **Exception 2:** A by-poll **need not be held** the Election Commission in consultation with the Central Government certifies that it is difficult to hold the by-election within the said period.

Can ECI hold by-polls (elections) in this case?

The Uttarakhand Assembly term ends in March 2022, leaving general elections in the state less than a year away. This makes the exception to Section 151A applicable to this situation, leaving it up to the EC to take a call.

### Opinion of the experts

It is completely at the discretion of the Election Commission of India.

- As per constitutional experts, in such a situation, when the remainder of the member's term is less than a year, the elections “need not be held”. As per section 151-A of the RP Act, as stated above, it is **not mandatory to hold the elections (by-polls)** if less than one year is left whereas in general cases, it is mandatory to be held within six months.

### **Opinion of the court**

Courts have in the past set aside such decisions by the poll body, citing the short term that this leaves incoming candidates with.

- In a 2019 judgment, the **Bombay High Court** had accepted the position that the application of the exception under Section 151A makes the power of the ECI to hold such elections to fill a vacancy as “**discretionary**”. In other words, it is not mandatory for the bypolls to be held for filling a casual vacancy within six months if the exception under Section 151A applies.

It is to be noted that the Election Commission of India (ECI) has held bye-election in appropriate cases in the past, even when the vacancy was available for less than a year, or even less than six months.

### **Has the EC ever certified that an election cannot be held?**

For filling vacant seats, the EC could cite the less-than-one-year rule and club the bypolls with the Assembly elections. In the past, this has been done, including in Jammu and Kashmir. However, in situations concerning the Chief Minister's election, the EC has **traditionally preferred to hold a bypoll**.

- **Impact:** If the EC and the Centre decide that holding a bypoll can be avoided given the Covid situation, it **could set a precedent** for West Bengal Chief Minister Mamata Banerjee, who lost her Assembly election from Nandigram and needs to be elected within six months.

**Also Read:** [Representation of People Act](#)

## **6. A ride to safety**

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Issues relating to development and management of Social Sector/Services relating to Education

**Relevance:** Teachers and their health are essential for the development of education in India.

**Synopsis:** Teachers has to be included in the vaccination campaigns as a front line worker.

### **Teachers during the pandemic:**

This unprecedented health crisis has also severely impacted the gains made in the education sector over the last few years.

Throughout this pandemic, the exceptional effort undertaken by teachers must be highlighted. Such as using the resources available to them, Indian teachers mobilised as one and have remained on the front-lines of education to ensure continuity of learning.

### **Recognising teachers as front line workers:**

As the country steps up the national vaccination campaign, there is an urgent need to better **recognise teachers as front-line workers and prioritise them in the vaccination campaign**.

While this has already been done by many State governments, the model should be replicated nationwide.

### **Need to recognise teachers as front line workers:**

- Including teachers will **speed up the reopening of schools** and facilitate ‘**in person**’ **learning for students**.



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- The continued commitment of teachers to their students and their critical role in contributing to the **achievement of the 2030 targets under Sustainable Development Goal 4** (quality education).
- Teachers have also helped in **communicating measures that prevent the spread of the virus** and providing assistance to ensure the mental well-being of all children. An accelerated vaccination process will enable them to stand fully ready when schools reopen.

### About the UNESCO-UBER Collaboration:

Transport facilities and distances affect mass vaccination campaigns. Keeping this limitation in mind and to support the process of swift vaccination for teachers, the ride-sharing company Uber and UNESCO are coming together to offer a **'Free rides for teachers' vaccination' campaign**. This will provide teachers safe travel to the vaccination centres while offsetting the costs of travelling long distances.

The initiative offers 1,00,000 rides to 25,000 teachers to and from vaccination centres to get the two vaccine doses. The offer will be implemented in Chennai, Coimbatore and Tiruchirapalli in Tamil Nadu.

### Similar such global collaborations:

- Last year, UNESCO launched the Global Education Coalition (GEC), a platform for collaboration to protect the right to education during the pandemic and beyond.
  - The coalition brings together more than 175 members from the UN family, civil society, academia, and the private sector focusing on three key issues, namely connectivity, teachers, and gender to ensure continuous access to education for all.

### Terms to Know:

- [UNESCO](#)
- [Global Education Coalition\(GEC\)](#)

## 7. Shaping a trilateral as Rome looks to the Indo-Pacific

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Bilateral, regional and global groupings and agreements involving India

**Relevance:** India-Italy-Japan trilateral and Indo-Pacific are important topics in International Relations

**Synopsis:** India-Italy-Japan trilateral cooperation has the potential to improve Indo-Pacific.

### India in Indo-Pacific:

One of the signs of India's growing centrality in the Indo-Pacific strategic architecture is its burgeoning **engagement with key western nations**.

The growth of India's weight in Indo-Pacific affairs came after India recognised that **complex regional geopolitical problems cannot be addressed adequately by rigid and structured traditional alliance frameworks**. So India is engaging in new alliances such as Quad.

### Italy's outreach in Indo – Pacific:

Even countries that have been lackadaisical in their regional outreach have also begun to approach the Indo-Pacific with a new seriousness and have been reaching out to India.

- Recently, Italy has become more vocal on the risks emanating from China's strategic competitive initiatives. For instance, the Italian Prime Minister described **Chinese competitive practices as "unfair"** and **invited the European Union (EU) to be franker and more courageous in confronting Beijing** on its violations of human rights.
- Italy has also begun to signal its intention to enter the Indo-Pacific geography. It has done so by seeking to join India and Japan in a trilateral partnership.
  - This initiative comes after years of Rome's relative absence from the geopolitical affairs of the region.
  - Recently, the **India-Italy-Japan trilateral was organised by the Italian embassies in India and Japan**. During that, they reiterated the responsibility of **keeping the Indo-Pacific free and open, and working for the welfare of its inhabitants** falls on like-minded countries within and beyond the region.

#### Advantages of India-Italy-Japan collaboration:

- A strategic trilateral between India, Italy, and Japan has, in the medium to long term, a lot of potentials. Their **compatible economic systems can create a virtuous and mutually beneficial contribution** to the reorganization of the global supply chains.
- At the multilateral level, the three countries **share the same values and the same rules-based world view**.
- **At the security level**, the well-defined India-Japan **Indo-Pacific partnership can easily be complemented by Italy**. It is already present in the western Indian Ocean where it is engaged in anti-piracy operations off the coast of Somalia.
- **Suggestions to improve the Indo-Pacific region:**
- The Italian government **must formulate a clear Indo-Pacific strategy**. It must indicate its objectives and, above all, the means and initiatives it is willing to implement on its own and in cooperation with its partners. Further, robust **India-Italy strategic ties can be the first step towards the realisation of this goal**.
- The **India, Italy, and Japan trilateral initiative** can, and should, be a **forum to foster and consolidate a strategic relationship** between these three countries, and specifically expand India-Italy bilateral relations.
  - Italy and Japan maintain a historically strong relationship. Similarly, India and Japan are strategic pillars of the free and open Indo-Pacific. So, trilateral cooperation can be the right forum for **India and Italy to learn more from each other's practices and consolidate a strategic dialogue**.
  - To consolidate trilateral cooperation, the **three countries need to define a common economic and strategic agenda**.

#### Terms to Know:

- [European Union](#)
- [Quad](#)

#### 8. Regional powers and the Afghanistan question

Source: [Indian Express](#)

**GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests.

**Relevance:** This article explains the implications of US withdrawal from Afghanistan.

**Synopsis:** Regional powers now have the burden of managing the military vacuum created by the US retreat in Afghanistan.



### Introduction:

The **two developments** have moved **Afghanistan** into the court of regional powers. These are:

- The speedy withdrawal of US troops from Afghanistan has resulted in the swift advance of the Taliban across the nation.
- And the Taliban leadership has claimed that it is in control of 85 percent of Afghan territory.
- **Why regional powers should get involved for more sustainable peace?**
- Firstly, the idea of a regional solution to Afghanistan has always had much **political appeal**.
- Secondly, **Geography, membership, and capabilities** make the SCO an important forum to address the post-American challenges in Afghanistan.
- Thirdly, Afghanistan is at the center stage of international politics and **right at the top of the SCO agenda**.
  - The SCO was launched **to promote inner Asia stability**.
  - A few months after the SCO was set up, the world saw the terror attacks on New York and Washington on September 11, 2001, by Al-Qaeda.
  - The US marched in quickly **to oust the Taliban from power** and launched the Great War on Terror.
- Fourth, **China and Russia were deeply apprehensive about the implications of extended American military presence** in Afghanistan.
  - However, Beijing and Moscow **did not oppose US intervention** in Afghanistan in 2001.
- Fifth, the US withdrawal from Afghanistan also reinforces the strongly held conviction in Beijing that the **US is in terminal decline**.
  - Now, China is offering an **alternative to the Western model of domestic and international governance**.
- **Lastly**, there is quiet satisfaction in Moscow, Beijing, Tehran, and Rawalpindi at seeing American withdrawal from Afghanistan.
  - However, it is tinged by worries **about the long-term implications**.
  - Now, they have to cope with the consequences of the US withdrawal and the resurgence of the Taliban.

### Challenges lying ahead for regional powers and Afghanistan:

- **Iran:** It can't ignore the **Sunni extremism of the Taliban** and its oppressive record in dealing with the Shia, and Persian-speaking minorities.
- **Pakistan:** **Geography has given Pakistan the capability to destabilize any government** in Afghanistan.
  - There is a danger of the conflict spilling over to the east of the Durand Line, and hostile groups like the **Tehrik-e-Taliban Pakistan (TTP) gaining sanctuaries in Afghanistan**.
  - Many in Pakistan would like to turn Afghanistan into a protectorate, but Afghans deeply value their independence.
- **China:** potential Taliban support to **the Xinjiang separatist groups** is a major concern.
- **Afghanistan:** If the Taliban is unwilling to accommodate the interests of all Afghans, it simply sets the stage for the next **round of the civil war in Afghanistan**.
  - All Afghan sovereigns, including the Taliban, will look for partners to balance Pakistan.

- **India:** There is a danger that Afghanistan under the Taliban could also begin to nurture anti-India terror groups.
  - Since there is a lack of direct access, India needs to have effective regional partners to shape India's Afghan policy.
- India should focus on intensifying its engagement with various Afghan groups, including the Taliban, and **find effective regional partners** to secure its interests.

## 9. The power of scrutiny

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Functions and Responsibilities of the Union and the States

**Relevance:** This judgment clears an important issue related to the power of the state's legislative assembly.

### Synopsis:

The recent verdict of the Supreme Court (SC) has enabled Delhi's legislative assembly to scrutinise social media companies. This has opened the gates for scrutiny of social media platforms by other States as well.

### Background:

- The SC in its latest verdict **upheld the authority of a committee of the Delhi Assembly to summon** a senior official of Facebook.
- The official was summoned by the Delhi Assembly's Committee on Peace and Harmony on the subject of the Delhi riots of 2020.

### Why was Facebook confronting the summon?

- The company argued that this was a case of overreach, as Delhi's law and order come under the central government.
- This was also the position taken by the central government, which argued that the Delhi Assembly had no jurisdiction in this matter.
- The social media platform also pointed out that it was **governed by the IT Act of Parliament**. This is not therefore something that any State government can be concerned with.

### About the verdict:

- The Court, in upholding the summons, did not go merely by the legislative powers of a House.
- It said that the Assembly does not only perform the function of legislating. There are **many other aspects of governance that can form part of the essential functions of the Legislative Assembly** and consequently the committee.
- Its point was that the "interrogating" and "recommendatory" powers of a House can be used for better governance. But it also cautioned the committee from "transgressing into any fields reserved for the Union Government."

### Significance of the Verdict:

- It is an extremely nuanced recognition of the extent of powers of State Assemblies in matters regulated by an Act of Parliament.
- The verdict will help in avoiding a power tussle between the center and Delhi government, thereby upholding federalism.

- It opens the gates for scrutiny of social media platforms by other States, which have more powers with respect to law and order than Delhi.

## 10. Prioritising school reopening on the road to recovery

**Source:** The [Hindu](#)

**Syllabus:** GS 2 – Issues Relating to Development and Management of Social Sector/Services relating to Health, Education, Human Resources.

**Relevance:** This article justifies reopening the schools.

### **Synopsis:**

Children have long borne the costs of school closure, and evidence-based decisions toward reopening are a necessity.

### **Background:**

- Most schools in India have been closed since the national lockdown started in March 2020.
- However, many experts are now demanding a reopening as the adverse impacts of closure are severely outweighing the risk of reopening. Further, the second wave of Covid-19 has begun to fall, across the country.

### **Adverse impacts of school closure:**

- **First**, the bottom half of children passing Class 10 are about two years behind in terms of skills. Prolonged school closure has widened this gap, thereby pushing the **next generation deeper into poverty**.
- **Second**, the **dropout rate in the country would be enhanced**. A survey across 10 States in India in November 2020 estimated that nearly two-thirds of children in rural India may drop out of school. This figure would worsen this persistent closure.
- **Third**, prolonged school shutdown has severely **pushed back India's fight against ills** such as **child labour and child marriage**.
- **Fourth**, it has restrained the effective implementation of crucial schemes like the mid-day meal. In June 2020, it was estimated that about 800,000 additional children would face **underweight and wasting**.
- **Fifth**, extended school closure has a severe impact on **children's mental health**. In Las Vegas, the U.S., a surge of student suicides forced schools to reopen in January 2021. The United Kingdom reported a 40% rise in the number of children taking antidepressants.

### **What is the risk of school reopening?**

- The risk of COVID-19 for children is **much lower than for adults**. **Based on a study of 137 million school-age children in the U.S. and Europe**, it was observed that COVID-19 is less than half as risky as seasonal influenza in children.
  - Similarly, a study among the nearly two million children in Sweden (where schools have been open throughout), found that there was not a single child death due to COVID-19.
  - As per Mumbai's dashboard data, the COVID-19 IFR (Infection Fatality Rate) for under-19 is minuscule: about 0.003%
- Various regions around the world which have been worse hit by the novel coronavirus pandemic than India, have kept their schools mostly open.

- This includes various European countries such as Portugal, France, the Netherlands, etc.
- The State of Florida (United States) opened schools for in-person classes in late September 2020, and they stayed open through their second wave.
- There has been a concern that a possible third wave involving newer variants could affect children. **But a careful look at the data tells that the age profiles of those affected in the second and first waves are similar.** There is no scientific basis for this fear.
- Further, there have been several careful scientific studies across various regions in Europe/U.S., measuring the role of in-person classes in COVID-19 spread. The overwhelming conclusion is that **the risk of COVID-19 spread in schools is minimal compared to other locations.**

#### Way Ahead:

- Policymakers must make **evidence-based decisions toward school reopening.** This is the least the working class and the children of India deserve.
- To reduce the concern among **teachers**, the Government must treat them on a par with **essential workers**, and offer them prioritized vaccination.
- A differentiated approach of **partial reopening** can also be analyzed for children having sufficient access to digital tools. However, for children who lack the resources, whose parents have to go out to work every day, in-person schooling is paramount.
- Further, the **vaccination drive for children must be based on a careful risk-benefit** analysis.
  - It is pertinent to note that there are growing concerns in the U.S. of a potential link between heart inflammation and the mRNA vaccine, among adolescents.

#### 11. It may be safer for school kids to stay maskless in classrooms

Source: [Livemint](#)

Syllabus: **GS Paper 2** – Issues relating to development and management of Social Sector/Services relating to Health, Education

#### About the CDC Guidelines:

US Centers for Disease Control issued new guidance to encourage reopening by giving schools more flexibility on classroom safety. So the question isn't whether schools should open. It's **what mitigation measures they should take when they do.**

The flashpoint of the guidelines is regarding masks. CDC guidelines continue to recommend masks for unvaccinated students and staff. But, critics respond that masks are harming children. So, the risk of carbon dioxide inhalation needs to be studied in depth.

#### Benefits of masks:

- At one time, the argument for masks was mainly that they kept the wearer from infecting others, but now evidence of their protective benefits is plentiful.
  - Evidence suggests that indoors, particularly when ventilation is poor, masks help prevent viral spread.
  - A literature review published last year in *The Lancet* found that wearing either surgical masks or similar cloth masks reduced exposure by around two-thirds.



**New research regarding CO2 emission inside masks:**

- Six European researchers, measured CO2 levels in the air inhaled and exhaled. They took readings without face masks, then with face masks of two different types: surgical masks and filtration masks.
- The carbon dioxide content of the air inside the masks—the air being inhaled—was about 13 times what previous research suggests is safe. The youngest children had the highest values of CO2, with one 7-year-old child's carbon dioxide level measured at 25,000 ppm. Those figures are for three minutes.
- **Criticism of study:**
  - The sample size is small. Moreover, the experiment was performed in a laboratory; it's not a study of similar cohorts in the real world.
  - At least a part of the CO2 buildup might be attributable to the nervousness of children who knew themselves to be experimental subjects.

**Other research studies regarding CO2 emission inside masks:**

- Similar studies published earlier in the pandemic already pointed to potentially higher CO2 levels among healthcare workers who wore protective equipment for long periods of time. Because the workers are re-breathing the same CO2 they've previously exhaled. The masks seem to be trapping what the lungs are trying to get rid of.
- Other studies have found similar problems in adults
- If the average school day is six hours long, the children would be masked for close to 360 minutes. It's odd that this issue has had so little public discussion. So before drawing dramatic conclusions and reopen schools, the CO2 emission inside masks needs a careful study.

**12. It is time for New Delhi to review its old 'one China' policy stance**

**Source:** [Live mint](#)

**Syllabus:** GS 2- India and its neighborhood

**Relevance:** The article highlights one of the policy measures available with India, against Chinese aggression.

**Synopsis:** India should adopt tougher positions on Tibet and Taiwan as it recalibrates ties with Beijing after China's border aggression

**Introduction**

Prime Minister Narendra Modi publicly congratulated the Dalai Lama on his 86th birthday. It was the first time since 2015 that the Prime Minister publicly greeted the Dalai Lama. The move has naturally raised a whole set of questions about India's China policy at large.

- **India's decision not to extend formal wishes to the Chinese Communist Party on its centenary should be seen together with a greeting for the Dalai Lama.** The Chinese president has warned that foreign powers will get their heads bashed if they attempt to bully or influence the country.
- **China's regime is far less secure than it seems on the surface, so** that aggression is its preferred nature. It is under greater scrutiny for its conduct in Xinjiang and Hong Kong. It will become even more defensive in Tibet and Taiwan.

### Why should India change its policy towards China?

Tibet is at the very heart of a major Sino-Indian geopolitical fault line. Beijing is keen to take control of the post-Dalai Lama era in Tibet.

- **Firstly, China has rejected demands for Tibetan autonomy** and made it clear that any successor of the Dalai Lama must have its approval.
- **Secondly**, disturbed by the efficiency of India's special frontier force which included Tibetan refugees in India, **the Chinese People's Liberation Army is trying to recruit more Tibetans in its ranks.**
- **Thirdly, India's recognition of Chinese sovereignty over Tibet was contingent upon China's acceptance of Tibetan autonomy.** Since 2010, India has not been using this term in its official statements and documents.
- **Fourthly, China is refusing to abide by agreements of the past.** If Beijing is not sensitive to India's core interests, New Delhi should signal its resolve to move away from old arrangements. Modi has done well to signal that a rethink may be in the offing, but something substantive is needed now.
- **Fifthly, India's Tibet policy only satisfies China.** The younger generation of Tibetans is dissatisfied with India's jumbled approach. Many in India questioned the value of a policy that is not reciprocal.
- **Lastly, India's position in the past was hopeful** that such a policy would result in the normalisation of Sino- Indian ties and an eventual resolution of the border dispute. **China's mean behaviour has broken those hopes.**

### Way forward

- It is time for New Delhi to follow-up a **policy response that challenges the Chinese regime, stimulates its Tibetan spiritual leadership** on the question of succession, and mobilises global opinion on the issue.
- As India recalibrates its China policy post-Galwan, Tibet and Taiwan are two issues that need a serious relook. **It is time to acknowledge that the old framework has collapsed along with the breakdown at the border.**

### 13. Why Centre's new rule for digital media face legal test

**Source-** [The Times of India](#)

**Syllabus- GS 2** – Indian Constitution—historical underpinnings, evolution, features, amendments, significant provisions, and basic structure.

**Synopsis:** There are few reasons that stakeholders are challenging the constitutional validity of IT rule 2021

#### Introduction-

- More than 10 petitions have challenged the constitutional validity of the government's Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

### What are these rules, and to whom do they apply?

- The new rules are intended to create a level playing field for print, television and digital media. They also create a regulatory framework for digital media.
  - The rules mandate a three-tier oversight process for publishers of news and online curated content [OTT platform].



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- The tighter regulations for social media firms require them to remove any content flagged by authorities within 36 hours.
- OTT platforms will also face stringent scrutiny and need to set up following–
  - Self-classify content into five major age-based categories.
  - Provide parental locks for mature content.
  - Reliable age verification mechanism for adult-only content.
  - Self-regulatory mechanism.

### Why are the new rules being opposed?

- **Social Media –**
  - **Against user privacy** – WhatsApp filed a case in the Delhi HC. It challenged the new digital rules on grounds that the requirement for the company to provide access to encrypted messages will break privacy protections.
  - **Twitter raised concern over criminal liabilities.** Under the new IT rules, compliance officers can face criminal charges for content posted on their platforms.
- **Digital news media-**
  - **There was no dialogue with digital news media platforms prior to the rules being announced.** Digital news media is opposed to the restrictions since they were not consulted.
  - Digital News Publishers Association (DNPA) in its petition states that new IT rules are imposing “**arbitrary, vague, disproportionate and unreasonable**” **restrictions on digital news media and social media intermediaries.**
- **OTT Platform-**
  - The government had been putting pressure on streaming firms to set up a self-regulatory mechanism. This has led to a split among OTT platforms, who have set up two self-regulatory bodies, the Digital Publishers Content Grievances Council (DPCGC) and the Indian Broadcasting and Digital Foundation (IBDF),
  - The OTT platform argues that they should have the freedom to decide on the composition and working of the self-regulatory mechanism.

### 14. Framing the legislation, forgetting the transparency

Source: [The Hindu](#)

**GS2: Government Policies and Interventions for Development in various sectors and Issues arising out of their Design and Implementation.**

**Synopsis:** Discussions and transparency indicate trust in the people by an elected government. However, there is little evidence of that in the framing of the IT guidelines.

#### Background:

- The **Cable Television Networks (Regulation) Amendment Bill** aimed to regulate the business of lakhs of cable operators, multi-system operators, and broadcasters.
- The Atal Bihari Vajpayee government, much like the present Government, was clueless about the number of cable operators.
  - Many had sizeable stakes in the real estate business in the country and carried the channels for a price which was at the centre of animosity between the broadcasters and the cable operators.

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- The **draft of the proposed Bill** was discussed with all stakeholders and spilled over months.
- Eventually passed by Parliament in 2002, the Cable Television Networks Regulation (Amendment) Act was **not a perfect Act and undergone many more amendments**.
- But the changes were the **outcome of intense discussions** with all stakeholders.
- This is a marked departure from the manner in which the new Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 is being pushed through.

### Need to regulate digital media:

- **Lack of data:** Former Ministry of Information and Broadcasting Minister commented that the Ministry officials **had no fix on the number of OTT platforms and users** in the country.
- **Increasing user base:** There are over 200 million OTT subscribers. There are around 550 million television and smartphone consumers in the country. The figures are expected to double by 2025.
- **No regulation:** it's business along with the entertainment industry had reached ₹1.82 trillion in 2019 and has been projected to cross ₹2.4 trillion by 2022.

### Issues with Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021:

- Firstly, the Government **never put up the amendments for public discussion**.
  - However, while amending the Press and Registration of Books Act, 1867, the Ministry had put out the draft on its website inviting discussions.
- Secondly, lesser time to comply.
  - The IT rules came into effect on February 25 with the Government giving digital publishers three months to comply.
- Thirdly, the Digital News Publishers Association, the Press Trust of India, and now the News Broadcasters Association have moved courts petitioning **that the code restricts free speech and exceeds the mandate of the IT Act**.
- Fourth, India has not followed best practices and the **new rules are characterised by excessive government overreach**. Most countries have set up an enabling architecture for OTT platforms to grow.
  - The **EU Audiovisual Media Services Directive**, encourages self-regulation and co-regulation among players, with a specific focus on child safety and violence, and hate speech.
  - In the **United Kingdom**, programming on video-on-demand services is regulated by Ofcom, which not only provides editorial rules but also has specific provisions for protecting those under 18 and the prohibition of content inciting hatred.
  - In the **United States**, OTT content remains unregulated.
- Lastly, there is a question about the **government's mandate to control and regulate** digital news.
  - There is a question over the formulation of a self-regulating code for digital media by the government, as it makes no sense.
- Hence, freedom of expression and public debate should be given adequate importance as they are the heart of the content.

**Terms to know:**

- [CBFC](#)

**15. The upcoming crisis in Indian federalism**

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Issues and Challenges Pertaining to the Federal Structure

**Relevance:** Delimitation of the constituency is a major bone of contention. It somewhere disincentivizes population control.

**Synopsis:**

The freeze on Lok Sabha seats would be removed after 2026. The centre should therefore take appropriate steps so that states which have managed to control their population are not punished politically.

**Background:**

- The Indian Constitution may face an unprecedented crisis in 2026 when there will be a dramatic change in the composition of the Lok Sabha.
- Since 1976, seats in the Lok Sabha have reflected the 1971 census and **have not taken into account changes in the population.**
  - The primary reason for this has been unequal population growth among States.
  - India's most highly developed and prosperous States have been successful at family planning, while the poorer States continue to expand.
  - The **freeze was thus a chance to ensure that India's most successful States are not punished politically for their success.**

**Reason behind emergence of crisis:**

- Post 2026, when this compact ends, there will be a seismic shift in national power towards India's poorest and most populated States.
- This would generate much resentment among the States that will lose political and economic power and influence. This calls for a realignment in the **balance between the democratic principle and the federal principle in the Indian Constitution.**

**About Indian Federalism:**

- **Article 1 of the Indian Constitution** says, India is a Union of States. The choice of words is deliberate: it is the several States that, together, make up the Indian Union.
- India has adopted a unique quasi-federal structure with a strong centre. The ethnic, linguistic, and cultural diversity of India made the adoption of federalism inevitable, but the fear of separatist tendencies warranted establishment of a strong centre.

**Tussle between democratic principle and the federal principle:**

- An inherent contradiction between the principles of democracy and federalism arises when federal units are unequal, population and economics.
- **In a democratic setup**, all citizens are equal and are thus entitled to equal representation in governance. **But this would imply that bigger States are likely to dominate the national conversation over smaller States.**
- Small States fear that they would get a smaller share of the pie economically, a much reduced say in national issues, and be irrelevant in the political governance of the country.

- Thus, federal democracies have incorporated into their governing structures **various kinds of compromises to ensure a balance between democratic principles and federal ones.**
- **For instance, US Constitution** protects states in following ways:
  - National powers over the States are limited
  - Each State regardless of size had two seats in the Senate, giving smaller States an outsized role in national governance
  - Presidents are elected by electoral votes, which means they must win States rather than the total national population. Presidents George W. Bush and Donald Trump won without winning the popular vote.
- Similarly, **India enabled formation of various states on linguistic basis in 1956** to uphold federal principles and respect the demands of people for greater autonomy.

#### What can India do to alleviate the fear of less populous states?

- **First**, the **powers** of States vis-à-vis the Centre contained in the Lists and in the provisions dealing with **altering boundaries of States must be increased. This will alleviate the fear of smaller States of being dominated by bigger ones.**
- **Second**, the role and composition of the Rajya Sabha must be expanded. This would allow smaller States a kind of brake over national majoritarian politics that adversely impact them.
- **Third, constitutional change and the change in financial redistribution between the States** must require the consent of all or nearly all States. **The fate of the Goods and Services Tax, or GST, serves as a salutary warning in this regard.**
- **Fourth, serious thought must be given to breaking up the biggest States into smaller units.** This would prevent them from dominating the national conversation.

#### Way Ahead:

- National bonds of affection and patriotism will not be severed by devolution of powers though they will be at least severely strained when one part of the country is empowered over another.
- There is an urgent **need to reimagine our national compact** — another freeze will only kick this thorny issue down the road and will continue to perpetuate an increasingly undemocratic set up.

#### 16. Disable unconstitutional sections

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Structure, Organization, and Functioning of the Executive and the Judiciary

**Relevance:** Laws that are declared unconstitutional by the judiciary, are still in use. What policy measures are required to ensure the proper implementation of orders.

#### Synopsis:

The police must ensure that no FIR is registered under unconstitutional sections and no one is harassed for the negligent actions of SHOs. A multipronged approach is desired to achieve this objective. This includes regular training, disabling online registration of FIR under unconstitutional sections and taking corrective actions against negligent police officers.



**Background:**

- Recently, the Supreme Court expressed shock while hearing an application filed by the People's Union for Civil Liberties (PUCI).
  - It observed that **criminal cases are still being registered by the police under Section 66A of the Information Technology (IT) Act, 2000. However**, the section was declared unconstitutional by the SC in 2015 (Shreya Singhal v. Union of India).
- The PUCI said that 1,307 cases had been registered since 2015 across the States. Therefore, **the Court must issue guidelines against registering FIRs by the police under this head.**
  - Undoubtedly, the registration of FIRs by the police under these sections is illegal and violative of the Court's directions.

**Sections declared unconstitutional by the court:**

- In 2015, the Supreme Court had declared **Section 66A** of the IT Act as unconstitutional. The section made the online posting of information considered as "grossly offensive" a crime punishable by jail.
  - However, the court held that it was violative of Article 19(1)(a) of the Constitution and not saved under the ambit of reasonable restrictions defined in Article 19(2).
  - It had also said that the expressions used in Section 66A were open-ended, undefined, and therefore arbitrary.
- In 1983, the Court had struck down **Section 303 of the Indian Penal Code (IPC)**. It provided capital punishment for murder by a person serving a life term in another case.
  - In **Mithu v. State of Punjab**, it held that the punishment was not based on rational principle **as no judicial discretion was available to a life convict.**
- In 2018 (**Navtej Singh Johar v. Union of India**), the Court read down **Section 377 of the IPC criminalising "unnatural sex" as being unconstitutional.**
- Similarly, in **Joseph Shine v. Union of India (2018)**, the Court held **adultery** as defined under **Section 497 of the IPC** as being manifestly arbitrary, discriminatory and violative of the dignity of a woman and therefore, unconstitutional.

**Steps to improve the situation:**

- The supervisory police officers at the sub-divisional level must ensure that such sections, if invoked, **are removed at the earliest.** The **Superintendents of Police** must fix responsibility on the erring officer and take corrective action.
  - If the SHOs and others don't mend their ways despite reprimands, **their annual confidential reports could be dented with adverse entries.**
  - Action can also be initiated under the new **Section 166A of the IPC**, which provides punishment for up to two years for disobeying directions under the law.
- A prudent focus should be placed on **educating police officers** of all ranks about unconstitutional provisions in basic training institutes.
- There could be **a mention in brackets near the provision that the provision has been struck down**, so that FIRs are not registered under those sections.
- Unconstitutional sections of the IPC can be **disabled in the Crime and Criminal Tracking Network and Systems (CCTNS).**

- Most States register FIRs in the CCTNS either on a real-time basis or in offline mode and synchronise this data with the State Data Centre as soon as connectivity is restored.
- **Chhattisgarh has disabled these Sections** in the system; a similar thing could be done by other states as well.

**Terms to know:**

- [CCTNS](#)

**17. It's time victims of UAPA demanded restitution, justice**

**Source:** [The Indian Express](#)

**Syllabus:** GS 2 – Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

**Relevance:** The unfortunate death of Father Swamy has brought the spotlight again on the Unlawful Activities (Prevention) Act (UAPA), 1967.

**Synopsis:**

Getting bail under UAPA is hard, but the State must compensate for the misuse of UAPA Provisions.

**About the UAPA:**

The [Unlawful Activities \(Prevention\) Act, 1967](#) is a [grossly abused legislation](#). Data reveal that thousands of UAPA arrests without bail in recent years. Further, there is also a [minuscule conviction rate, perhaps below 2 percent](#).

It is invoked disproportionately, indeed overwhelmingly, against minorities, indigenous peoples, tribals, and, increasingly, those who stand up for them is well known.

**Few examples of getting bail under UAPA:**

Getting Bail under UAPA is a treacherous one. Father Stan Swamy's case is one such example. Few other examples are,

- An NIA court in Mumbai acquitted two persons charged under UAPA citing lack of evidence after they had spent almost nine years in jail.
- Similarly, a Tripura man was discharged by the NIA court at Bengaluru. The NIA found that no charge could be framed in the absence of any material to link him with a shooting incident at the Indian Institute of Science on December 28, 2005.

**Compensation for malicious prosecution under UAPA:**

The judgments granting bail to student activists along with the death of Father Stan is a wake-up call for reforming the provisions of UAPA.

- In **Nilabati Behera (1993) case**, the court clarified that the **doctrine of sovereign immunity has no application in the constitutional scheme**. The Supreme Court under Article 32 or a High Court under Article 226 can decide compensation for a citizen for malicious loss of liberty.
  - **The doctrine of Sovereign Immunity:** It means that the state or the sovereign can commit no legal wrong and is immune from civil suits and criminal prosecution
- The 277th Report of the Law Commission of India (2018) also strongly recommended institutionalized compensation.



- Recently in **Bilkis Yakub Rasool (2020) case**, the Supreme Court directed the Gujarat government to pay Rs 50 lakh in compensation.  
It's clear, then, that the stage is set for compensation claims. So, India also has to include state compensations to limit malpractice as a practice.

**Read more:**

- [UAPA or Unlawful Activities Prevention Act – Explained, Pointwise](#)
- [Issue of Bail under UAPA \(Unlawful Activities Prevention Act\) – Explained, Pointwise](#)

**18. Courts shouldn't step into executive's domain: Supreme Court**

**Source:** [Times of India](#)

**Syllabus:** GS 2 – Separation of Powers between various organs

**Relevance:** This article is useful for the topic Separation of Powers of GS-2. Recently, there have been many judgments, directing the executive on policy decisions.

**Synopsis:**

The pandemic era witnessed judicial intervention in the domain of executive and legislature. However, different benches of the Supreme court had different viewpoints on such intervention.

**Background:**

- On 14th July, a bench of the Supreme Court (SC) observed that constitutional courts should restrain from intervening in policy decisions. It also said that it will consider setting out norms on this issue.
- However, a day before, Supreme Court judge D Y Chandrachud took some credit in the court, bringing about a revision in the Centre's vaccination policy.
  - He said that the state is empowered to take policy decisions on the pandemic. But if this infringes on the constitutional rights of the people, the validity of the policy is subject to judicial review.

**Observations by 14th July Bench:**

- It was hearing a plea filed by the Uttar Pradesh government against the Allahabad High Court (HC). The HC had passed a slew of directions on management of the pandemic in the state and passed adverse observations against the government.
- The SC bench said the **intention of the court could not be questioned and there was no doubt it wanted to improve the situation**. But the issue was whether interference was at all needed during the period of crisis which should be left to be handled by government and experts.
- The bench deduced that the judiciary should not interfere in the domain of the executive as **per the principles of separation of power. There is a demarcation which should be respected by every organ of government**.
- The SC bench's views come in the wake of the court and several high courts taking up issues like oxygen supply and vaccination.

**Rationale behind Different opinions by the SC:**

- The Supreme Court **sits in smaller and co-equal benches**. This gives way to the formation of different opinions about the same socio-economic rights and the level of deference that is shown to the executive on issues of policy.

### 19. Jobs lost, middle-class Indians line up for rations and 'worry about meals'

Source: [Business Standard](#)

**Gs2: Issues relating to Poverty and Hunger.**

**Relevance:** The issue of hunger is one of the issues related to the basic necessities of life. Pandemic has worsened India's situation on this parameter.

**Synopsis:** Loss of jobs and livelihood during the Pandemic has devastated the Food security of millions of poor in India.

#### **Increasing Poverty and Hunger in India**

- According to a study by the **Azim Premji University**, the daily average wage for about 230 million Indians dropped below the Rs 375 (\$5) threshold.
- More than 15 million Indians lost their jobs in May alone, according to the **Centre for Monitoring the Indian Economy**.
- Loss of jobs and livelihood is leading to an increase in hunger, particularly in urban areas.
- **Issues that are challenging the Food distribution to the poor**
- **Surging food prices:** A stalled monsoon threatens to further stoke food inflation that was at 5 percent. Surging food prices have prompted economists to call for widening the distribution of cereals under India's National Food Security Act.
- **Exclusion errors:** Further, more than 100 million people remain outside the government's public distribution system because coverage is calculated on outdated census data.
- **Widening States Burden:** Increasing number of middle-class people are also seeking support from Fair price shops.

#### **Relief Measures in Place to manage food Distress**

- **At centre level:**
  - **National food security act:** The government is required by law to provide five kilograms of rice, wheat, and coarse grains at subsidized rates as low as one rupee per kilogram to India's poorest each month.
  - **Pradhan Mantri Garib Kalyan Yojana:** It provides for additional six kilos a month per person until November, at a cost of 1.5 trillion rupees (\$20 billion). The program was restarted in April and has been extended to November 2021.
- **At State level**
  - Similarly, at the **state level**, relief measures are being provided for the poor. For instance, in Delhi, free food grains for two months to 7.2 million ration cardholders as well as financial aid of 5,000 rupees to 156,000 autorickshaws and taxi drivers are being undertaken.
- **Role of Civil society organizations**
  - **Civil society organisations** are involved in distributing meals and dry rations for the needy. For instance, **Want Food collective** (Mumbai).
  - Furthermore, **community kitchens** are being run by the common man to support the poor.

## 20. Number, No Privacy Threat

Source: [Indian Express](#)

**GS2: Government Policies and Interventions for Development in various sectors and issues arising out of their Design and Implementation.**

**Relevance:** This article justifies making aadhaar, a **public utility**, against a general perception of making it confidential information.

**Synopsis:** Some privacy proponents are of the view that the Aadhaar number should be treated as a secret or confidential number, making its retrieval an uphill task.

### Is Aadhaar number confidential?

- Firstly, as per the Aadhaar Act, “An Aadhaar number **shall be a random number and bear no relation to the attributes** or identity of the Aadhaar number holder.”
  - It is neither secret nor confidential. For this reason, the IT Act also does not classify the Aadhaar number as sensitive personal information.
- Secondly, the UIDAI was **acutely aware of the possibility of an individual losing the** Aadhaar card and the short longevity of a paper one.
  - It does not describe Aadhaar as a card, but a number, which is easy to retrieve, download, and print with no original, copy, or duplicate concept.

### Why treating Aadhaar numbers as confidential is not right?

- Firstly, if Aadhaar number is **treated as a secret or confidential number**, its retrieval will be difficult,
- Secondly, Under the IT Act, **the biometric information collected by the UIDAI for uniqueness is sensitive personal data.**
  - However, due to privacy-related issues, the UIDAI is not allowing individuals to leverage their biometrics to retrieve lost Aadhaar numbers.
  - Thus, if it is confidential, searching a database of billion-plus residents without biometrics may be challenging for the ones **without other unique identifiers like email and phone numbers.**
- Thirdly, **Section 29(4) of the Aadhaar Act prohibits the publication of Aadhaar numbers** except for purposes specified by regulations.
  - The purpose of these restrictions is that while the Aadhaar number is not confidential, its publication in various government records will make **it easy to collate information.**
  - However, the collation of data in the digital world is easy even otherwise.
- Lastly, the Aadhaar number is not an ID or a password.
  - **“Analysis of Major Concerns about Aadhaar privacy and security”** refutes that the Aadhaar number is vulnerable to surveillance attacks by the state, forgery attacks by miscreants, or database attacks by hackers.
  - It says that getting access to somebody’s Aadhaar number does not increase the digital vulnerability of the owner.

### Way forward:

- Dreze and Anil suggest ways to simplify the retrieval of lost Aadhaar numbers.
  - A **lucid policy for recovery and easy to access support services** is required.
  - Recalling demographic data submitted to the Authority will suffice to retrieve lost numbers.

- The use of biometrics as a measure of last resort needs to be permitted.
- The UIDAI needs to act with urgency to end the woes of the less well-versed.
- UIDAI should vigorously **promote the adoption of the Aadhaar as a public utility**, not just by the government but the nation.
- Hence, Aadhaar must be seen as an instrument to empower people across domains to realize their rights and place in the digital world.

**Terms to know:**

- [UIDAI](#)

**21. Ghost of Section 66A**

**Source:** [Indian Express](#)

**Syllabus:** GS 2 – Structure, Organization, and Functioning of the Executive and the Judiciary

**Relevance:** Laws that are declared unconstitutional by the judiciary, are still in use. Policy measures are required to ensure the proper implementation of orders.

**Synopsis:**

The Supreme Court's criticism and the Centre's note underline the letter of Section 66A of the Information Technology (IT) Act. Now the challenge is to implement it in spirit.

**Background:**

**Read more –** [Disable unconstitutional sections](#)

**About Section 66A:**

- It was introduced as an amendment to the Information Technology Act in 2008.
- It gave the government power to arrest and imprison an individual for allegedly “offensive and menacing” online posts.

**Why was it struck down?**

- The SC in the Shreya Singhal Case deduced that Section 66A was arbitrarily, excessively, and disproportionately invades the right of free speech.
- It was drafted so widely that virtually any opinion on any subject would be covered by it. Thus, upholding its validity would create a chilling effect on free speech in the country.

**Reasons behind continued persecutions under Section 66A:**

- The gap between the court's judgment and the pile of Section 66A cases is, perhaps, explained by a political climate. Free speech, dissent, and legitimate criticism are being seen in bad faith.
- Further, the existing laws are wielded as weapons to arrest journalists and citizens for a tweet or a slogan, or a Facebook post.

**Suggestions:**

- Early this month, the Supreme Court bench hearing the plea was moved to seek a response from the Centre on what it called a “**shocking state of affairs**”.
- The Centre has written to state governments, asking them to **pass on the memo to the police force and withdraw all cases under Section 66A**.
- The Centre's note to the states is a positive step, but **regular monitoring is the only way to ensure that the law is implemented in letter and spirit**.



**Terms to know:**

- [Section 66A IT Act](#),

**22. Interference an investigating officer can do without**

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Separation of Powers between various organs

**Relevance:** Separation of power is an important part of ensuring proper governance in the country.

**Synopsis:** Growing instances of judicial interference in an investigation are undesirable and also not sanctioned by law.

**Background:**

- The death of George Floyd in the US in May 2020 and the horrific episode in Sattankulam, Tamil Nadu (killing a father and son) show acts of police brutality on the common citizens. Such instances justify regulations on the police authority to investigate an established crime.
- Further, lower courts and High courts are sometimes seen directing a police officer to arrest a particular person in a crime. It is perceived as an act of aiding the investigation. However, such acts should be avoided.

**Why should the Judiciary not intervene in a police investigation?**

- **First**, it amounts to intervention in the domain of the executive, as police are accountable to the elected representatives and not the judiciary. Hence, intervention is a **violation of the separation of powers**.
- **Second**, persistent intervention enhances **public distrust over the police**. This **reduces police morale** for working efficiently.
  - In such a scenario, even a straightforward and law-abiding policeman will hardly be believed by the masses, thereby **undermining the ethics of criminal justice**.
- **Third**, the court's intervention shows a lack of faith in police ability and integrity. This will make **grass-root level policemen even more arbitrary than now** and force them into carrying out questionable actions.
- **Fourth**, Court interference in the day-to-day investigation is not only undesirable but is also **not sanctioned by law**.
  - The Code of Criminal Procedure (CrPC) vests **sufficient discretion in the investigating officer** to make decisions on arrests and searches.
- **Fifth**, there are **sufficient safeguards in the law to prevent abuse of power** by the police during the investigation.
  - Every investigation is supervised by at least two immediate senior officers. In the more important cases, there are a few more levels. It is their duty to ensure that every investigation is handled lawfully and impartially.
  - It is mandatory that every police station in the land should register a complaint under the relevant sections of a statute the moment a cognizable offence is made out in the complaint.
  - The CrPC makes it obligatory for the investigating officer to write a diary that details the action taken every day following registration. To such a diary are attached witness statements.



**Suggestions:**

- Intervention in the investigation should be curtailed in light of recent observation by the Supreme Court. It said that courts have no authority to direct an investigating officer to arrest any particular individual connected with a crime.
- Courts should remember that the police dept. has a well-established hierarchy to ensure objectivity during a criminal investigation.
  - However, where supervisory officers fail in their duty because of sheer laziness or buckle under external pressure, they deserve to be pulled up by courts. But **not before they are found guilty of indifference or malfeasance.**
  - Further, when in doubt, the competent court can demand to see **the case diary**. If the content of such a diary establishes the complicity of an individual, the court can question an investigating officer as to what he proposed to do on the basis of such evidence.

**23. A strong Indian state must be humane too**

**Source:** [The Hindu](#)

**Syllabus:** GS 2 – Structure, Organization, and Functioning of the Executive and the Judiciary

**Relevance:** This article highlights the importance of upholding human rights.

**Synopsis:**

The recent death of Father (Fr.) Stan Swamy has attracted global criticism and questioned India's credibility and will for protecting human rights. The situation calls for establishing an audit system to review such cases that would prevent gross violation of justice and uphold human rights.

**Background:**

**Issue of Bail under UAPA**

**Global Criticism:**

- The international experts and societies expressed **deep grief over the demise of Fr. Swamy**. They condemned Indian authorities for his inhuman treatment.
  - He was suffering from Parkinson's disease, bilateral hearing loss, back pain and "generalised weakness" but still not given bail.
  - The jail authorities took over a month to provide a straw, sipper and winter clothes to Fr. Swamy, as Parkinson's disease made it difficult for him to hold cups or glasses.
- Mary Lawlor, the United Nations Special Rapporteur on the situation of Human Rights Defenders, plainly made the accusation that he was arrested on "false charges of terrorism".
- The United States State Department expressed sadness at his death and called him a "Jesuit priest and tribal rights activist."

**Way Ahead:**

- Such opinion cannot be given primacy over India's core security interests. However, **diplomacy requires engagement with international liberal opinion, not wooden and inflexible assertions of general principles only.**
- The Indian state should **keep in mind the humane principles** that it adopted at the time of independence.

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- The country pledged to achieve development not through an authoritarian polity but a democratic and liberal one, despite the obstacles and challenges that lay in the way.
- The application of special laws should be **duly audited by the superior judiciary**. There should be very strong evidence to substantiate charges under them, as jail is the rule and bail is the exception for those charged under special laws.
  - Fr. Stan Swamy's case should provide an impetus to put such an audit machinery in place that would reassure international opinion that India is a responsive state.

### 24. Hard knocks for soft power

**Source:** Business Standard

**Syllabus:** GS2

**Relevance:** Understanding government's role in furthering growth of media and creative industry

**Synopsis:** The state is tightening its control over what we read, watch, hear or laugh at. Why not facilitate our soft power instead of clamping down on its strengths?

Tightening the state control

- **Draft cinematograph bill 2021**: In June 2021, came a proposal to amend the Cinematograph Act of 1952. Among the recommended changes is one that gives the Union government the power to review a film even after it has been given a certificate by the Central Board of Film Certification (CBFC). This power had been struck down by the Supreme Court in 2000.
- **Abolition of FCAT**: The draft bill comes on top of the abolition of the Film Certification Appellate Tribunal or FCAT in April 2021. If a filmmaker who didn't agree with the changes or cuts by the CBFC's examining body, they could go to the revising committee. And if that didn't work there was always FCAT.
- **Digital Media Ethics Code**: Earlier in February 2021, came the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. These govern OTTs, news websites/aggregators and social media firms. These have been challenged in several courts.
- **New tariff order**: Recently, the Mumbai High Court ruled in favor of the Telecom Regulatory Authority of India's controversial New Tariff Order 2.0. The order, along with its earlier version, has formulas on how broadcasters can price their channels, what discounts they can offer and a ceiling on per channel prices. Broadcasters have gone to the Supreme Court.

### Impact

- Media and entertainment business will be in perpetual fear of being sued in distant courts and will self-censor (as it already does) in the hope that its CBFC certification is not revoked.
- The costs and the control that the IT Rules put, especially on budding online news brands, will mean less investment in journalism and more on compliance.

### Suggestions/Measures

The focus of the government regulation should be facilitation, not control. This has the following benefits:

- **Leveraging India's soft power** in creative industry will establish India more strongly in the global entertainment ecosystem
- **More jobs:** Going by a Deloitte report in 2018, the total direct and indirect employment into just OTT, films and TV was 2.4 million people.
- **More taxes**

### 25. What the post-Covid doctor must know

**Source:** [The Indian Express](#)

**Syllabus:** GS 2- Issues relating to development and management of Social Sector/Services relating to Health

**Relevance:** To cater to the demands of future medical needs, India has to reform medical education.

#### Synopsis:

The lessons learnt during the Covid-19 should catalyse changes in medical education, enhance the profession's orientation towards scientific sensibility and compassion.

#### About the Western model of medical education:

- Major reforms in Western medical education began after the Flexner report of 1910.
  - The report advocated structured, science-based and laboratory supported learning, replacing the apprenticeship model inherited from apothecaries.
  - It also influenced training methods in medical colleges of colonised countries.
- The western model of medical education **imposed the reductionist approach** that increasingly **focused on partitioning the human body into organs, tissues, cells, and sub-cellular structures**.
- The **integrated functioning of the human body and its interconnectivity** to other life forms and the natural environment **became obscured** from the visual field of medical education.
- Further, **Indian medical colleges**, usually **located in an urban ambience** and linked to tertiary care hospitals, are **disconnected from the real-world** functioning of a multi-layered health system.
- But, the Covid-19 pandemic could **provide the catalytic spark** for more reforms by throwing light on many areas that medical education must address.
- In 2010, the Commission on Health Professional Education in the Twenty-First Century **advocated a multi-disciplinary, socially responsive model of education**. But the recommendation in medical education is not yet imparted.

#### How does the pandemic demand change in medical education?

There are new competencies that a young doctor must develop and display in a world with changing channels of **demand and delivery of health services**.

- The pandemic has **reemphasised the scientific precepts and moral values** of the medical profession, which had been **obscured by the greed of commercialized healthcare**.
- The ability to judge the quality of **new scientific evidence for correctly guiding clinical practice** and future research is essential for a doctor in training.

- This requires a **good understanding of research methodology** and the **skill of critical appraisal** that can distinguish good science from bad. This is much needed when new claims inundate medical journals and social media.
- Medical education **must teach the essential principles of epidemiology and statistics** that underlie good research design and interpretation.
- Many **inappropriate tests and ineffective medicines** are prescribed by doctors in the misguided belief that they are doing good to their patients — this has been noticed in the pandemic. For instance, unnecessary use of chest CT scans in many persons. This **has to be controlled**.
- **Telemedicine** has emerged as an important bridge to clinical care during periods of restricted mobility. Post pandemic, **telemedicine will be an established component of health systems. Medical education must impart the needed technical and social skills** to make teleconsultations effective and safe.
- The need for **imparting skills of effective public communication and empathetic conversations with patients** has been highlighted by the pandemic. So the **Medical education must now enhance scientific sensibility and compassion amongst physicians**.

## 26. Abolish the law

**Source:** [Indian Express](#) , [The Hindu](#)

**Syllabus:** GS 2 – Structure, Organization, and Functioning of the Executive and the Judiciary

### **Synopsis:**

The recent petitions in SC may set the tone for what would be a comprehensive reconsideration of a section that has been frequently and wrongfully used.

### **Background:**

- Four petitions are currently in the Supreme Court challenging the constitutionality of the sedition law; the latest was filed by the PUCL on July 16.
- In wake of this, the Supreme Court has questioned the government, 'Why does Section 124A continue in the statute book even after 75 years of independence?'
- [Read about Sedition law and related judgments](#)

### **Why should it be abolished?**

- It is **misused** for **settling political scores, curbing free speech (article 19), and press freedom**. It is a convenient tool for under-performing governments to use against critics.
  - The Uttar Pradesh government filed sedition cases against journalists for merely tweeting that a farm protestor had died in police firing, while the autopsy later indicated he had likely died in an accident.
  - In Haryana, a hundred agitating farmers have been charged with sedition for attacking and vandalising government vehicles, particularly the one carrying Assembly Deputy Speaker Ranbir Singh Gangwa in Sirsa.
- It is driven by **colonial tendencies**, which were useful for Britishers to curb the freedom movement. However, such laws have no place in a democracy where citizens are the real sovereign.



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- The recent reports show that the number of cases of sedition under Section 124A increased by 160%. Whereas **the rate of conviction dropped to 3.3% in 2019** from 33.3% in 2016.
- The Kedarnath Judgment laid down **an ambiguous test**, where the speech is measured on the parameter of its “tendency” to result in public disorder. However, it does not clarify how the tendency of a speech was to be gauged. This leads to even higher misuse.
- The **U.K. abolished the offense of sedition in 2010**. Whereas, India is still retaining the law given by the British Empire.
  - Similarly, in Australia also, following the recommendations of the Australian Law Reform Commission (ALRC) the term sedition was removed and replaced with references to ‘urging violence offenses’.
- In 2018, the Law Commission of India questioned how far it is justified to retain Section 124A. It suggested a cautious reconsideration of the section or complete repeal.

### Way Ahead:

- The recent petitions in SC may set the tone for what would be a comprehensive reconsideration of a section that has been frequently and wrongfully used.
  - For instance, **subjecting sedition to the Brandenburg standard** would answer the problems emanating from the 1962 test.
  - It calls for expressions to be penalised only where there is incitement to “imminent lawless action”.
  - It is the ultimate standard to protect speech and has already been adopted as the threshold for upholding the right to free expression by the SC in Indra Das (2011) and Shreya Singhal (2015).
  - Similarly, the government can use tough IPC sections against rioting, obstructing public servants on duty, etc. instead of sedition.
- While issuing fresh guidelines and safeguards is one way of quelling the potential for its misuse, it will be more helpful if Section 124A is struck down altogether.

### 27. B3W – An alternative to China’s Belt and Road Initiative

**Source:** [Indian Express](#)

**Syllabus:** GS2 – International Relations (IR)

**Relevance:** Countering China’s growing influence in developing and low income countries.

**Synopsis:** It is an analysis of G7’s counter to China’s Belt and Road Initiative (BRI).

#### Background

G-7 leaders have proposed Build Back Better World (B3W) to counter China’s rising influence across 100-plus countries through **Belt and Road Initiative** (BRI) projects. BRI projects are perceived as debt traps laid by China for its **strategic dominance** in trade, foreign policy and geopolitics in the world.

#### What is B3W?

The proposal, though at an early stage, aims to address the **infrastructure investment deficit** in developing and lower income countries. China has capitalized on this gap through its 2,600 BRI projects with trillions of dollars of investment.



### Why countering BRI is necessary?

- The BRI projects broadly aim to facilitate cross-border transportation of goods, access to energy, **creating demand for existing excess capacity in Chinese industries**.
- The overall focus is on developing transportation, logistics, and communications, which would **reduce trade and transaction costs for China's trade**. It gives **more market access** to Chinese markets and ensures a **stable supply of energy** and other resources.
- China has also tried to rope in more countries and raised the acceptance level of BRI over time through the BRI summit, Boao Forum for Asia, China-Central and Eastern Europe (CEE), Belt and Road Forum, etc

Many countries, including India, would see an **adverse trade impact** on their products' competitiveness, market access, resource extraction etc. due to **Chinese competition**.

Hence, countering China's BRI via international projects like B3W is a necessity.

Major projects under BRI

China's true motives behind investment in BRI projects are a China-centric international economic integration, production networks, hegemony in the Asia-Pacific region, and, eventually, the global economy. It is clear from the pattern and the amount of investment in BRI projects.

**Aggressive FDI by China:** Since the inception of the BRI in 2013, there was a sudden rise in infrastructure investment in BRI projects compared to investment in non-BRI projects.

- **Investment in Africa:** China is investing in Africa to lay a comprehensive transportation network. It has strategically made **Kenya** the African hub and plans to connect it with other land-locked countries in the region, including Uganda, South Sudan, Rwanda, etc.
- **Central, South and West Asia** is China's second preferred region under the BRI. 80% contracts are concentrated in **Pakistan, Bangladesh, Russia, Iran** and **Kazakhstan**. The China-Pakistan Economic Corridor (CPEC), the Bangladesh-China, India, the Myanmar Economic Corridor (BCIM) and the Colombo Port City Project in Sri Lanka, amongst others, are important BRI projects.
  - **BCIM** is one of the corridors of the Belt and Road project. It aims to connect China's eastern city of Kunming with India's Kolkata through Dhaka in Bangladesh and Mandalay in Myanmar.
- **Central Asia:** China has a plan to complete 4,000 km of **railways** and 10,000 km of **highways** within the Central Asian region as part of BRI.
- **East Asia:** Since the launch of BRI, China has signed various contracts worth \$90 billion with the East Asian region. The biggest contracts have been with **Indonesia, Malaysia**, and **Laos**.
- **Europe:** Major projects include a freight train project from **Ukraine to Kazakhstan** through **Georgia, Azerbaijan, Kazakhstan** and, eventually, China, covering a distance of 5,475 km. The Greek port Pireaus, the China-Belarus Industrial Park, and the Green Ecological Silk Road Investment Fund are other major projects.

### Conclusion

B3W lacks coherent thoughts and proper planning at this stage. Nevertheless, it is better late than never. Moreover, it remains to be seen what role India will play in B3W since it has been a strong opponent of China's BRI.

## 28. India needs a renewed health-care system

Source: The Hindu

Syllabus: GS 2 – Issues relating to development and management of Social Sector/Services relating to Health

Relevance: Public health must be reformed to meet the post-pandemic medical needs.

### Synopsis:

India needs to focus on the core lessons from the pandemic and rebuild trust in public health.

### The pandemic and the vulnerability of the public health system:

For any population, the availability of functional public health systems is literally a question of life and death. This is evident by comparing two States which currently have the highest number of COVID-19 cases in India — Maharashtra and Kerala.

1. Their per capita gross state domestic product (GSDP), reflecting the overall economic situation in each State, is similar.
2. However, their COVID-19 case fatality rates are hugely different — this being 0.48% for Kerala and 2.04% for Maharashtra. This simply means that a COVID-19 patient in Maharashtra has been over four times more likely to die when compared to one in Kerala.

### How public health system fared against the Pandemic?

- A major reason for such critical divergence between states is likely to be the **huge differences in the effectiveness of public health systems**.
  - Despite Maharashtra having a large private healthcare sector, its **weak public health system** has proved to be a critical deficiency.
  - In contrast, robust government healthcare services in Kerala have translated into: a **more effective outreach, timely testing, early case detection and more rational treatment for COVID patients**, which all together reduce fatality rates.
- **Large scale misuse in the private sector:** Massive hospital bills have caused untold distress even among the middle class; COVID-19 care often costs ₹1 lakh to ₹3 lakh per week in large private hospitals. The 'Remdesivir panic' was significantly linked with major overuse of this medicine by unregulated private hospitals, despite the drug lacking efficacy to reduce COVID-19 mortality.
- The central government is **yet to take necessary steps to promote the implementation of the Clinical Establishments (Registration and Regulation) Act (CEA)**.
  - The Act was passed in 2010 and presently applicable to 11 States across India. But this Act is not effectively implemented due to a major **delay in notification of central minimum standards**, and **failure to develop the central framework for the regulation of rates**.

### Lesson learnt during the pandemic:

- Neglect of public health systems can mean large-scale, avoidable losses of lives; hence, public health services must be upgraded rapidly and massively as a topmost priority.
- The government need to regulate rates and standards of care in the private sector and implement the Clinical Establishments (Registration and Regulation) Act (CEA) in letter and spirit.

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- A logical corollary of the first two lessons is that health services should not be further privatised.

### Suggestions

- Parliamentary Standing Committee recommended that **for reaching National Health Policy targets, the Government must allocate ₹1.6-lakh crore for public health** during the current year. This is double the amount of the present central health Budget.
- A logical corollary of the lessons is that **health services should not be further privatised**. But the NITI Aayog's recently published document, 'Investment Opportunities in India's Healthcare Sector' advocate further privatisation.
- It is critical to **rebuild people's trust in public health systems**. This would help in overcoming COVID-19 vaccination hesitancy while strengthening the promotion of healthy behaviours necessary to deal with the current wave of COVID-19 and prevent a third wave.

### Terms to know:

- [Clinical Establishments Act 2010](#)

# General Studies Paper - 3

## General Studies - 3

### 1. Banker's Trust: Has crony capitalism hijacked bad loan resolution?

**Source:** [Business Standard](#)

**GS-3:** Indian Economy and issues relating to Planning, Mobilization of Resources, Growth, Development, and Employment.

**Relevance:** Insolvency resolution is one of the parameters of promoting ease of doing business in India.

**Synopsis:** Challenges associated with bad loan resolution in India.

#### Background

- Kingfisher owed around Rs 9,000 crore to the banking system.
- Recently, the State Bank of India-led consortium received Rs 5,824.5 crore by selling shares of a Kingfisher's group, that were attached under the **anti-money laundering law**.
- With this, the banks have recovered at least 70 percent of their exposure to the airline.
- Apart from kingfisher, Videocon Industries Ltd and its group companies, Siva Industries and Holdings Ltd who have defaulted are also subjected to the same process.
- Lenders to Videocon Industries Ltd and its group companies will get just Rs 2,962.02 crore, out of their total claim of Rs 64,838.63 crore.
- Similarly, lenders have entertained a one-time settlement proposal of Siva Industries and Holdings Ltd for Rs 318 crore. A minuscule percentage of the company's total dues of Rs 4,863 crore.

#### What are the challenges involved in the recovery of bad assets?

- **One**, it would be difficult for banks to seize and sell the assets of the group companies, in the **absence of a personal guarantee**. Also, the corporate guarantee from the promoter was missing, while seeking loans.
- **Two**, the **quantum of recovery** will always depend on the profile of the defaulting company and the nature of its business. For instance, there will be aggressive bidding and high recovery for companies that have value but not for all.
  - In a recent case of Essar Steel Ltd, the lenders got back 82.91 percent (Rs 41,018 crore) of their Rs 49,473 crore claims.
  - Whereas in the case of Synergies Dooray Automotive Ltd, the creditors got back just 6 percent (Rs 54 crore) of the total debt of (Rs 972 crore).
  - Further, going by the data of the Insolvency and Bankruptcy Board of India, 2,653 cases have been closed. Only 348 cases of the closed cases have been resolved. The average realization by the lenders was 45.96 percent of their claims until March 2020.
- **Three**, insolvency is a time taking process in India, and the recovery rate is very poor compared to other countries.
  - A World Bank estimate says that in India, it used to take an average of 4.3 years to resolve insolvency and recovery was 25.7 cents for every dollar.
  - Whereas in Japan, it takes six months to settle a case and the recovery rate is close to 93 percent.
- **Four**, apart from logistical issues that delay the process, banks often give too long a rope to defaulters and this leads to the erosion in the enterprise value of the company.



- **Five**, the Indian insolvency law lacks the scope for the preservation of assets. In the absence of this, the value of incomplete projects gets eroded fast.
  - Ideally, lenders should invest and complete the project to extract maximum value from the bidders.
  - But the fear of investigating agencies stops them from lending fresh to such companies.
  - As a result of this, often a defaulting company loses the tag as a going concern and is sold at its scrap value.
- If bankers move fast, try to preserve the enterprise value of the defaulting companies, and the promoters accept business failures as a reality, the recovery rate will improve.

## 2. WhatsApp's tactical retreat

**Source – [Business Standard](#)**

**Syllabus – GS 3 – Science and Technology-** developments and their applications and effects in everyday life.

**Synopsis –**Need of Personal Data Protection law to safeguard citizens' right to privacy.

### Introduction –

- Last year, WhatsApp announced its controversial terms and privacy policy. It required users to accept the terms in order to continue using the platform's services.
- However, after a long conflict, the company recently notified the Delhi High Court that it would not implement its amended privacy policy until the Personal Data Protection Bill took effect.
- However, The Personal Data Protection Bill has been pending for more than 3 years and the absence of the legislation causes huge concern.

### What was WhatsApp new Terms of Service [ToS] –

**The Businesses to operate easily –** WhatsApp claims that the new privacy policy was required because it needs to share some information with Facebook in order to develop e-commerce capabilities in the app.

Under the new conditions, corporate accounts will be able to exchange private, personal data and information from those who engage with them.

### Concerns related to Whatsapp new TOS-

- **Violates the right to privacy** – The revised ToS violates the right to privacy provided by the Constitution, as well as a 2016 pledge by WhatsApp to provide users with an opt-out from data sharing.
  - It will share users' personal information and data with Facebook, primarily to boost ad-related income sources.
- **Sharing of Metadata** – WhatsApp may share one's metadata, which is effectively anything other than the conversation's actual content.
  - This means, the new policy virtually gives a 360-degree profile into a person's online activity.
  - At the moment, there is no government control or regulatory supervision of this level of visibility into a person's private and personal actions.
- **Effect of WhatsApp's new ToS in other countries-**
- **In EU-** This ToS is not applicable to EU users since it breaches the GDPR (General Data Protection Regulation), the World's most advanced and comprehensive data privacy law.

- **In US-** This ToS cannot be applied as it violates privacy and data protection laws.

**Steps taken by India in order to formulate legislation-**

- **In 2017**, the union government formed the committee [led by retired Supreme Court Judge Justice BN Srikrishna] to deliberate on a data protection framework.
- **In July 2018**, the committee proposed a Personal Data Protection Bill with multiple protection levels and consent required before each step of data collection and processing. However, that proposal was never presented to Parliament.
- **In Dec 2019**, the redrafted version presented in parliament, which was criticized as Orwellian due to broad monitoring and data-gathering powers granted to government agencies. That draft bill has not been passed into law, and no Bill has been presented since 2019.

**Way forward-**

Legislation on data protection should be formulated which safeguards the rights provided to the Citizens, protect individual privacy, ensure autonomy, allow data flow for a growing data ecosystem.

**Terms to know:**

- [GDPR](#),
- [Metadata](#),
- [B Srikrishna committee](#),

**3. How India can face the tidal wave of marine plastic?**

**Source:** [Down to Earth](#)

**Syllabus:** GS3 – Environment

**Relevance:** Ways to tackle marine plastic pollution.

**Synopsis:** Plastic waste contributes to pollution on a major scale. Some solid steps are required to handle it.

Plastic waste

**Data**

The extensive use of plastic in India has reached a critical point, which should concern everyone.

- The Central Pollution Control Board's ([CPCB](#)) Annual Report on Implementing the Plastic Garbage Rules, 2016, is the only regular estimate of the quantum of plastic waste generated in India.
  - According to it, the waste generated in 2018-19 was 3,360,043 ton per year (roughly 9,200 ton per day).
- Plastic waste contributes about **5-6% of total solid waste** generated in India.
- According to a 2017 science breakthroughs study, only 9% of all plastic waste has ever been recycled.
- Approximately 12% of plastic waste has been burnt, while the remaining 79% has accumulated in landfills.

Plastic waste is blocking our sewers, threatening marine life, and generating health risks for residents in landfills or the natural environment.

## Marine plastic pollution

**Financial cost:** The financial costs of marine plastic pollution are significant as well.

- According to conservative forecasts made in March 2020, the direct harm to the blue economy of the [ASEAN](#) Nations will be **\$2.1 billion per year** (*considering only Shipping, fisheries and aquaculture and maritime tourism sectors*)
- According to the World Economic Forum report, 2016, under a “business-as-usual” scenario, this \$2.1 billion per year estimate is likely to rise, as plastics production is expected to triple between now and 2050.
- **Social costs:** Enormous social costs accompany these economic costs.
- **Residents of coastal regions suffer** from the harmful health impacts of plastic pollution and waste brought in by the tides, and are deeply linked to the fishing and tourism industry for their livelihoods.

Therefore, we must begin finding solutions to prevent plastics and other waste from polluting our oceans and clean them up.

## Solutions/Measures

1. **Designing a product:** Identifying plastic items that can be replaced with non-plastic, recyclable, or biodegradable materials is the first step. Find alternatives to single-use plastics and reusable design goods by working with product designers.
2. **Pricing:** Plastics are inexpensive because they are made with substantially subsidized oil. There are few economic incentives to employ recycled plastics. Price structures that promote alternative materials or reused and recycled plastics are necessary.
3. **Technologies and Innovation:** Developing tools and technology to assist governments and organizations in measuring and monitoring plastic garbage in cities.
  - a. **‘Closing the loop’ project** of the **United Nations Economic and Social Commission for Asia and the Pacific**, assists cities in developing more inventive policy solutions to tackle the problem.
  - b. A similar approach can be adopted in India.
4. **Promoting a plastic-free workplace:** All catering operations should be prohibited from using single-use plastics. To encourage workers and clients to improve their habits, all single-use goods can be replaced with reusable items or more sustainable single-use alternatives.
5. **Producer responsibility:** Extended responsibility can be applied in the retail (packaging) sector, where producers are responsible for collecting and recycling products that they launch into the market.
6. **Municipal and community actions:** Beach and river clean-ups, public awareness campaigns explaining how people’s actions contribute to marine plastic pollution (or how they may solve it), and disposable plastic bag bans and levies.
7. **Multi-stakeholder collaboration:** Government ministries at the national and local levels must collaborate in the development, implementation, and oversight of policies. This includes participation from industrial firms, non-governmental organizations, and volunteer organizations. Instead of acting in isolation, all these stakeholders must collaborate and synchronize with one another.

### Way forward

Solving the problem of marine plastic involves a change in production and consumption habits, which would help meet the Sustainable Development Goals (SDGs). The central UN SDGs that deal with marine plastics are **SDG 12** and **SDG 14**.

### 4. Game changer: Making sense of open source software in digital economy

**Source:** [The Business Standard](#)

**Syllabus:** GS 3 – Awareness in the fields of IT, Space, Computers

**Relevance:** Open source software can provide many advantages to the government.

**Synopsis:** Open source software has many advantages and can save huge public money.

CoWIN is the digital platform for the Covid-19 vaccination drive. Earlier this month, the government said that India would allow CoWIN to be an open-source for all countries to access, adapt and use, thereby becoming one of many countries that have open-sourced their government projects.

### What is open source?

Red Hat, the world's leading open-source software solutions company, explains open source as "a term that originally referred to open source software (OSS). **Open-source software is code that is designed to be publicly accessible** — anyone can see, modify, and distribute the code as they see fit.



# Open source defined

Red Hat, the world's leading open-source solutions company, describes open-source software (OSS) as "code that is designed to be publicly accessible". OSS, it says, is developed in a decentralised and collaborative way, and anyone can see, modify and distribute the code as they see fit.

## Why open source?

- Cost savings
- Better bug-fixing
- More collaboration and learning

## The challenges

- Lack of right mindset
- Lack of trust

- Open-source software is developed in a decentralised and collaborative way, relying on peer review and community production.

## What does Open Sourcing a software mean?

Open-sourcing a software means that **people can look at the code and suggest improvements or issues**, and also use the code under a licence to develop similar products. In other words, they would be "**free from royalty**".

## Advantages of Open-source Software:

- **Cost savings:** A study in 2015 said that the use of free and open-source software (FOSS) could lead to estimated savings of about Rs 8,254 crore in Indian schools, and about Rs 51.20 crore in police departments in the country. Further, it also promotes a do-it-yourself attitude towards technology among officials.



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- OSS is often **cheaper, more flexible**, and has **more longevity** than its proprietary peers because it is developed by communities rather than a single author or company.
- Software and bugs go hand-in-hand. Proprietary software does what is called 'blackbox' testing. In open-source, the code is open, which makes it possible for many more people to look at the code, and they can do a much better job than blackbox testing

### OSS and government:

- In 2009, the French Police said that it had saved millions of dollars by migrating to an open-source operating system.
- The United States, in 2016, introduced the Federal Source Code Policy, whose main requirement was that any new custom source code developed "by or for the Federal Government" has to be made available for sharing and re-use by all federal agencies.
- More recently, as the Covid-19 pandemic spread last year, the government of Singapore was the first to **open-source its Bluetooth contact tracing app** (TraceTogether).
- **India and OSS:**
- India has had an open-source policy since 2015. Many of India's large projects, including **Aadhaar, the Goods and Services Tax Network, and Unified Payment Interface, have all used open-source technology** to build the projects in question, but the code has never been opened for the larger community to examine.
- India's contact tracing app Aarogya Setu's Android version was also open-sourced last year.

### Challenges with OSS in Government projects:

- The right capacity, and right understanding of what open source is not known to all officials.
- In open-source, the **government is open for scrutiny, co-creation**. This might create mistrust on how the technology is being deployed. For instance, open-sourced **Aarogya Setu app faced heavy criticism** from the community because the **source code did not match the actual app code**, and was not updated.
- Opening up the entire code of an application or platform will make it **vulnerable to attacks**.

### Terms to know:

- [CoWIN platform](#)
- [Goods and Services Tax Network](#)
- [Unified Payment Interface](#)

### 5. Courts, protect media: IT rules attack media's core freedom. Judges should see legal challenges to rules in that light

**Source:** [Times of India](#)

**Syllabus:** GS paper 3: Role of media and social networking sites in internal security challenges

**Relevance:** New IT rules are aimed at regulating media and address the Challenges to internal security.

**Synopsis:** New IT rules that apply indiscriminately to all digital content are facing a slew of legal challenges from news agencies.

### News agencies and the IT Rules:

Recently, in a petition brought by the National Broadcasters Association, the Kerala HC shielded broadcasters from coercive action. The Digital News Publishers Association has also challenged the constitutionality of these rules in the Madras HC. This is due to the following reasons,

- Digital news and current affairs publishers are correctly questioning why the news **media is treated on a par with social media and OTT platforms**.
- Further, there was **no consultation with the news media before these rules were made**.
- These rules will **bring in surveillance of news outlets and fear of government diktats**. That's unacceptable and **anti-democratic**.

Read More: [New IT Rules for Social Media and its challenges – Explained, Pointwise](#)

### Why including news agencies under IT rules is unnecessary?

- Unlike social media platforms, the **news is already regulated** by the Press Council, the Cable Television Networks (Regulation) Act and the National Broadcasting Standards Authority. Therefore, **additional rules were unnecessary** in the first place.
- The **IT Act**, which deals with digital intermediaries, **does not even apply to news publishers**. Nor does it deal with any content regulation except in cases of cyberterrorism, sexually explicit and obscene material, child pornography. Therefore, IT rules, as subordinate legislation, cannot roam widely beyond the scope of the parent act.
- The rules seem like an attempt to intimidate the news media into self-censorship, apart from vesting government with overreaching powers over news content.
- In the past, the SC has strongly protected media rights with its interpretation of Article 19(a) as part of the fundamental right to free speech and expression. All courts must demonstrate a robust commitment to media independence.

### Terms to know:

- [Information Technology \(Guidelines for Intermediaries and Digital Media Ethics Code\) Rules, 2021](#)
- [Cable Television Networks \(Regulation\) Act](#)
- [National Broadcasting Standards Authority](#)
- [Press Council of India](#)

### 6. Dispelling myths about capital dumping would serve India well

Source: [Live Mint](#)

#### Gs3: Changes in Industrial Policy and their Effects on Industrial Growth.

**Relevance:** This article highlights the importance of big e-commerce companies for Indian economy.

**Synopsis:** Proponents of 'capital dumping' conveniently ignore the role that e-commerce plays in economic growth.

### Background

- Currently, foreign **e-commerce marketplaces** are allegedly indulging in '**capital dumping**'. Such allegations are leveled by some interest groups.

- However, the allegation will be detrimental to the interest of India. Because India needs more foreign capital to create jobs, strengthen infrastructure and empower Indian SMEs with tech innovation to accelerate economic growth.

### Significance of Foreign Capital and e-commerce for India

- **One, to achieve rapid economic growth**
  - India has set an ambitious target to grow GDP at 9% per annum and for this capital investment is needed to drive economic growth.
  - The **incremental capital-output ratio (ICOR)** for an economy refers to the units of capital needed to drive one unit of growth.
  - India's **ICOR** is about 4.5, which translates to a capital investment requirement of 40% of GDP. Further, India's domestic savings rate hovers at around 28% of GDP (World Bank).
  - Domestic sources thus cannot fully supply the capital we need for growth. A large part of this deficit of 12% of GDP must be funded by foreign capital inflows.
- **Two, to create jobs.**
  - In India, about 8-12 million youth enter the workforce every year.
  - A NASSCOM study projects that e-commerce (including partnerships) will create 12 million new jobs between 2020 and 2030.
  - Whereas even for small businesses to flourish, we need capital and technology to build physical warehousing and transport infrastructure, as also a robust digital payments set-up.
- **Three,** Further, contrary to the common man's mindset that e-commerce will impact Kirana shops, e-commerce will complement the growth of Kirana shops.
  - Nasscom-Technopak study shows that while e-commerce will grow from \$34 billion to \$208 billion, **general trade will grow from \$699 billion to \$1,088 billion** from 2020 to 2030.
  - Moreover, with the size and diversity of India, e-commerce and kirana stores serve complementary needs and are hardly in conflict.
- **Four,** besides creating jobs, e-commerce companies help small businesses. It widens their customer base at low cost, boost tax collections, foster a technology economy, drive exports and fuel consumption.
  - Notably, e-commerce promotes digitization that helps Kirana shops modernize and stay resilient.

Additional restrictions on foreign capital in e-commerce could retard the modernization of the Kirana shops and slow down offline-online partnerships, which are likely to account for the bulk of employment creation in the coming decade. Hence, Regulators must beware of the notion of 'capital dumping'.

### Terms to Know:

- [Foreign Dumping](#)

## 7. Govt may issue guidelines for 'flex-fuel' vehicles by October

**Source:** [Business Standards](#)

**GS-3:** Conservation, Environmental Pollution, and Degradation, Environmental Impact Assessment.

**Relevance:** Flexible fuel vehicles (FFVs) can increase **fuel efficiency** and **decrease pollution**. This concept can be used in answer writing of both topics.

**Synopsis:** Some challenges should be addressed before the adoption of flexible fuel vehicles.

### Background:

- The government is considering the use of flexible fuel vehicles (FFVs) to ensure increased use of bio-fuels for running vehicles. For that, it is also working on an incentive scheme to promote manufacture and use of flex engines in vehicles.
- Auto companies may soon be asked to manufacture passenger and commercial vehicles that run on multiple fuel configurations. It is aimed at reducing the use of polluting fossil fuels.

### What are flexible fuel vehicles (FFVs)?

- An FFV is a modified version of vehicles that could run both on gasoline and doped petrol with different levels of ethanol blends.
- These are currently being used successfully in Brazil, giving people the option to switch fuel (gasoline and ethanol) depending on price and convenience.
- For India, FFVs will present a different advantage as they will allow vehicles to use different blends of ethanol mixed petrol available in different parts of the country.
- FFVs will allow vehicles to use all the blends and also run-on unblended fuel.

### Challenges that need to be addressed before the adoption of flexible fuel vehicles policy

- Introduction of FFVs will require adoption of vehicle standards, technologies and retrofitting configurations.
- If standards on FFVs are made mandatory, it would require additional investment in production lines and technology transfers to change the character of the vehicles.
- Already the use of 10 per cent ethanol blended petrol and introduction of BS VI fuel have added to the cost of making a vehicle
- Most significantly, Ethanol production in India needs to be increased. Due to short supplies and transportation challenges, 10 per cent blended petrol is available only in 15 states while bio-fuel in other states varies between 0 and 5 percent.

## 8. What is the 'right to repair' movement?

**Source:** [Indian Express](#)

**Syllabus:** GS 3 – Industries and industrial policies

**Relevance:** How the right to repair movement will be beneficial for consumer protection.

### Synopsis:

In recent years, countries around the world have been attempting to pass effective 'right to repair' laws. But the movement has faced tremendous resistance from tech giants such as Apple and Microsoft over the years.



**Background:**

- The right to repair movement is gaining traction in developed countries, including the US and U.K.
- On 9th July 2021, the US President signed an executive order. It has lifted restrictions imposed by manufacturers that limit consumers' ability to repair their gadgets on their own terms.
  - **The UK**, too, introduced right-to-repair rules that should make it much easier to buy and repair daily-use gadgets such as TVs and washing machines.
  - **European Union's** right to repair laws require manufacturers to ensure that electronic goods can be repaired for up to a decade.

**About Right to Repair Movement:**

- It is a movement to give every consumer the right to repair their own electronics and other products.
- The movement traces its roots back to the very dawn of the computer era in the 1950s.
- The supporters of the movement argue that electronic manufacturers are encouraging a culture of '**planned obsolescence**'.
  - This means that devices are designed specifically to last a limited amount of time and to be replaced.
  - This leads to immense pressure on the environment and wastage of natural resources, as manufacturing an electronic device is a highly polluting process.
    - It makes use of polluting sources of energy, such as fossil fuel, which has an adverse impact on the environment.
- **Objectives:**
  - To prevent customer's reliance on restricted and expensive authorized retailers for repairing their obsolete devices.
  - To induce the manufacturers to make durable and long-lasting devices.
  - Also, to prevent faster dumping of electronic devices into the landfill and encouraging judicious use of resources for environment protection.
  - To boost business for small repair shops, which are an important part of local economies. If a manufacturer has a monopoly on repairs, then prices rise exponentially and quality tends to drop.

**But why do electronic manufacturers oppose this movement?**

- Large tech companies, including Apple, Microsoft, Amazon, and Tesla, have been lobbying against the right to repair.
- They argue that opening up their **intellectual property to third-party repair services or amateur repairers could lead to exploitation. It will impact the safety and security of their devices.**
- These companies are constantly claiming that **they are working towards greater durability themselves.**
  - This year, Apple took more steps towards reducing its contribution to e-waste. It has expanded its free, independent repair provider program in 200 countries.
  - Microsoft has pointed out how it **improved the battery and hard drive of its third-generation Surface Laptop** after it was criticised for making it next to impossible to replace the battery in older models.



## 9. Success of India's dairy sector is not just thanks to private players

Source: [Indian Express](#)

### Gs3: Food Processing and Related Industries in India- Scope' and Significance

**Relevance:** This article explains the reasons behind the success of the cooperative model of the dairy sector

**Synopsis:** Micro-level production, processing and marketing, and change in perception played a critical role in increasing milk production.

#### Background

- Some attribute the milk production growth in India to the capacity created by the new private sector dairies. But most of the private dairies have followed the template set by the co-operatives.
- However, **major pillars** like **Micro-level production, processing and marketing, and change in perception** played a critical role in increasing milk production.

#### What are the three pillars responsible for the growth of the Milk economy in India?

##### The first pillar of Success: How it happened

- In 1946, **Tribhuvandas Patel**, a Gandhian and a follower of **Sardar Vallabhbhai Patel**, led some Kheda district dairy farmers to strike against the **Greater Bombay Milk Scheme (GBMS)**.
- According to the **Greater Bombay Milk Scheme**, companies used to refuse to take their milk in the winter, because there was a surplus.
- The farmers succeeded, with political backing, in getting GBMS to accept their milk year-round.
- They quickly formed a co-operative, the **Anand Milk Union Ltd** (Amul) with 246 members and recruited a US-trained dairy engineer, Verghese Kurien, to be their manager.
- Kurien realised that the solution to the natural periodicity of milk production lay in processing the excess milk in the flush (winter) season into milk powder and butter (milk fat).
- These could be recombined in the lean season to ensure a year-round even supply of milk.
- Kurien managed to get a UNICEF grant for a plant of economic size. The Amul dairy was established in 1956. Kurien also realised that more money could be made by selling some milk fat as table butter, and the recombined milk could be leaner.
- New co-operative dairies had come up in neighboring Mahesana and Banaskantha districts on the lines of Amul.
- Kurien roped them in a similar plan of activities. Voltas became the marketing agent for Amul butter.
- So, the first pillar of success is to tie together micro-level production, economic scale processing, and large-scale marketing with a brand.

##### The second Pillar of Success:

- Meanwhile, something quite revolutionary was happening in dairying households.
- Traditionally, women looked after the buffaloes and took the milk to the collecting station.
- They also started receiving weekly payments for the milk delivered.

- The economic rise of Women in the dairy sector yielded gender equality and encouraged the formation of self-groups in Gujarat's dairying villages.
- This became the second pillar of the development of the milk economy.

**The third pillar of Success:**

- The most important effect was on the family decision-making.
- Since they had regular, dependable, and often sizeable cash income supplementing their periodic and uncertain crop incomes, they could see dairying as an enterprise, and not a subsistence or default occupation.
- The market power asymmetry was effectively countered by co-operatives, which were large enough to enjoy economies of scale through the use of technology.
- Their concern moved from remunerative prices to their stability, value-addition, and surplus generation for all.
- Administrative interventions such as support prices or monopoly procurement are not required, since farmers' organisations can powerfully lobby to protect their interests.
- That is the most important third pillar.

To attribute the development of the milk economy of India to market forces and the entry of private entities mainly, would be superficial. It is these three major pillars that are responsible for the growth of the milk economy in India.

**10, The Centre should help RBI tame retail inflation**

**Source-** [Live Mint](#)

**Synopsis** – Food and fuel should be included in the GST rate to provide tax relief.

**Syllabus** – GS 3 – Indian Economy – Financial Market.

**Introduction-**

- Retail inflation slipped to 6.26 percent in June. It breached the upper tolerance limit of the inflation target range set by the RBI's monetary policy committee for the second consecutive month in a row.
  - According to the Consumer Price Index (CPI), the Inflation was 6.3 percent in May 2021.
- Retail inflation, measured by the consumer price inflation index, is the main price gauge that the RBI tracks. It remained high due to rising fuel prices and costlier items in the food basket.

**Inflation threats**

- **Imported Crude oil impact**– Crude oil prices on the global market are likely to drive up inflation in nations that import the commodity.
  - This might be attributed to greater import costs and a depreciation of the native currency, resulting in higher import prices.
  - Because India imports 82.8 percent of its crude oil, increasing oil prices have a negative influence on inflation.
- **Consumer food price inflation**– In May, consumer food price inflation hit a six-month-high.
- **Falling rupee** – A falling rupee increases import costs and raises retail prices, while an RBI prop for the currency's external value in inflationary times would hamper exports.
- The increase in inflation is also due to **weak demand, low production and supply disruption**

### What needs to be done to control the inflation-?

- RBI could tighten credit by raising its policy rate or reversing other liquidity measures. **Stable prices** of food and fuel would help to secure economic stability.
- **Indian currency must retain its real value** – As falling rupee would enlarge import bill and push up retail prices. The Center can take some steps to ease the pressure on our central bank to meet its promise of a trusty rupee.
- **Put Food and Fuel into GST net-**
  - As the majority of what consumers pay for petrol and diesel is made up of taxes.
  - The fuel cesses reductions would provide monetary policy more room to support a recovery in growth.

### 11. Space tourism spinoffs

**Source:** [The Business Standard](#)

**Syllabus:** GS paper 3 – Awareness in the field of Space

**Relevance:** Space tourism is gaining popularity in the field of Space.

#### Synopsis:

The entry of the private sector into the space race brings new dimensions to the monetization of space technology.

#### Private space tourism projects:

Three important private organisations (Virgin Galactic, Blue Origin, and SpaceX) made huge investments in space projects.

- Recently VSS Unity spaceship, with six people on board, recently took off from New Mexico and reached an altitude of 85 km from Earth before returning.
- Amazon founder's space company named Blue Origin has recently concluded the online auction for the first seat on the [New Shepard rocket system](#).
- SpaceX even **aims to go to Mars. SpaceX rockets already supply the International Space Station (ISS)** and [carry crew to and fro from that facility](#).

#### The future of space tourism:

Space tourism could soon be an option for the well-heeled adventure tourist. For instance, Virgin Galactic has received over 500 advance bookings at \$250,000 per seat on the VSS Unity. For comparison, people pay \$50,000 to climb Everest in package tours, alongside trainers, and dedicated teams of Sherpa.

#### Preparation for space tourists:

- Passengers must be cushioned and protected from high acceleration during the travel period and during the landing.
- The cabin must be pressurized, and all furniture secured to handle weightlessness.
- Insulation is required to protect the craft from heat generated by friction.

#### Advantages of Space tourism missions:

- The **materials used, and the design elements, could be incorporated in safety equipment in cars and bullet trains.**
- Another set of positive consequences **may be the clean-up of space debris.** The Space Registration Convention of 1976 and the recent Artemis Accords suggest clearing up space debris. The presence of high net-worth tourists will add a sense of urgency.

**Challenges with the entry of private players:**

- Private entities tend to be focused on very specific technologies, which have visible payoffs within the foreseeable future.
  - **Development in many areas** ranging from modern communications, and geo-location systems, to renewable energy usage, weather prediction, etc. **are the result of publicly-funded national space agencies** that did not look for immediate payoffs.

**Terms to know:**

- [International Space Station \(ISS\)](#)
- [Artemis Accords](#)
- [Space Registration Convention](#)

**12, Task for new IT Minister Ashwini Vaishnaw**

**Source – [The Indian Express](#)**

**Syllabus – GS 3-** Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-technology, and issues relating to intellectual property rights.

**Relevance:** This article enumerates the challenges that the new IT minister must solve at priority.

**Synopsis –** The most pressing problems and challenges that the new IT Minister must address.

**Introduction –**

- Recently, the Union Cabinet witnessed a reshuffle. Ashwini Vaishnaw was appointed Minister of Electronics and Information Technology, Railways, and Communication.
- As IT minister, he has enormous hurdles, including new IT rules, personal data privacy legislation, internet access, and internet shut down.

**Challenges in front of new IT minister-**

- **First, Access to the internet in rural areas-** Despite the number of internet users has been growing rapidly, there is still a large rural population with no access to the internet.
  - **Rural-urban gap in internet penetration** – Rural penetration rate not even one-third of the urban penetration rate. Around 37,439 villages are still not covered by telecom service providers.
  - The Government initiative also lacking to fulfill their target. For example-
    - **Bharat Net program** aims to have an optical fiber network in all gram panchayats. However, the project has regularly missed all its deadlines, while the expenses are rising.
    - **National Digital Literacy Mission** also witnessed slow progress.
- **Second, the Frequent Internet shut down by the government-** India and Myanmar were responsible for the longest internet shutdowns in 2019 and 2020. In India, the total economic loss due to internet shutdown was around \$2.4
  - The amendments to the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 also fall short to promote active compliance.



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- **Third, issues related to the new IT rule-** The IT Rules, 2021 have faced significant criticism on several grounds, such as it creates lots of uncertainty and dispute. The new IT rule lacks a comprehensive digital governance framework.
- **Forth, Curb data breaches-** Another significant concern is the increasing number of data breaches. In India, the average data breach cost Rs 14 crore in 2020, up 9.4 percent from 2019.
  - The average time to discover and control a breach has increased dramatically. This signifies a significant amount of information and data loss for users.

### What needs to be done?

- **Updating the IT Act-** There is a need to draw up a comprehensive new framework for digital governance in India.
  - The process for updating the IT Act, 2000 must be made public. This required consultations with stakeholders as well as the creation of a draft report on the Act's future based on technical and legal input.
- **Address the digital divide** – The digital divide must be bridged urgently, not just by extending India's digital infrastructure, but also by emphasizing complete digital literacy.
- The Ministry must provide more openness and accountability in the blocking process, beginning with the proactive publication of shutdown orders.
- It is necessary to provide statutory measures for data security and strengthen the powers of the Indian Computer Emergency Response Team to enact proactive action against data breaches.

### 13. Improve weather models

**Source-** [The Business Standard](#)

**Synopsis** – For a more accurate weather forecast, a broader set of models and modelers is required.

**Relevance:** Weather forecasting is important for agriculture and local authorities.

**Syllabus – GS 3** – Science and Technology- developments and their applications and effects in everyday life.

#### Introduction-

- The India Meteorological Department (IMD) has been criticized for its recent inability to correctly forecast weather.
- The pattern of mistakes over the previous six weeks indicates deeper issues. Either the models need to be re-examined or the forecasts are presented with undue certainty.

#### Recent failure of IMD

- **In North India** – The IMD had predicted that the monsoon is expected to cover Delhi, Haryana, parts of west Uttar Pradesh, and west Rajasthan by June.
  - However, The Southwest Monsoon has reached almost all parts of the country, but has stayed away from parts of north India.
- **On July 5**, the IMD again said the monsoon is likely to spread into northwest India, covering Punjab and north Haryana by July 10. However, there were no signs of any relief even on July 10.



- **In Kerala**– On May 30, the IMD bulletin projected that the monsoon would arrive in Kerala on May 31; However, it was later revised to imply that the monsoon would arrive on June 3.

#### What needs to be done-?

- **States can turn to private providers for ensemble predictions** rather than relying on point forecasts from a single government agency.
  - The private weather forecaster, Skymet's model, has arguably performed more effectively in predicting monsoon onset over past years.
  - Legitimate private forecasters should have access to a broad set of relevant data points, collected by state agencies. It will make their forecasts available to a wider audience.
  - **For Example**– the NITI Aayog has partnered with private weather modeling companies in precision agricultural research.

#### 14. Growth matters but income levels matter more

**Source:** [The Hindu](#)

**GS-3:** Indian Economy and issues relating to planning, Mobilization of Resources, Growth, Development, and Employment.

**Relevance:** An aspirant can understand the importance of various policy measures in the time of economic difficulties.

**Synopsis:** The magnitude of contraction in the economy and the policy responses towards it raises the question of growth prospects for the next year.

#### Issues that are threatening the growth prospects of the Indian Economy

- **Magnitude of contraction in the economy:** The contraction in trade (-18.2%), construction (-8.6%), mining (-8.5%), and manufacturing (-7.2%) is a matter of concern as these sectors account for the bulk of low-skilled jobs.
- **Rising unemployment rate:**
  - According to the unemployment data released by the **Centre for Monitoring Indian Economy (CMIE)**, over 15 million jobs were lost in May 2021. It is higher than the 12.3 million in November 2016, the month of demonetization.
  - The job losses also bring out the high informality and vulnerability of labor in India, as of the total jobs lost during April-May, 17.2 million were of daily wage earners.
  - It is known that employment and aggregate demand in an economy are related. Similarly, there is a positive correlation between aggregate demand and output growth.
  - Hence, the prospects of growth revival in the next year look weak at the moment
- **Low business confidence**
  - Business confidence index (BCI), from the survey by the industry body FICCI, declined to 51.5 from 74.2 in the previous round.
  - Declining household income and lack of savings have given rise to weak demand. This in turn had impacted the business confidence.
- **Low Manufacturing Purchasing Managers' Index**
  - PMI has slipped to a 10-month low, indicating that the manufacturing sector is showing signs of strain, with growth projections being revised lower.

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- Both BCI and PMI slipping down indicates that the overall optimism towards 2021-22 is low, which could impact investments and cause further job losses.

### Why it is said that the government's response will not aid growth recovery?

Since last year, the policy responses have been to rely on credit easing, focusing more on supply side measures, with more and more guarantees by the government to improve the flow of credit to important sectors. However, this policy stance is unlikely to prop up growth for three reasons

1. First, the bulk of the policy measures, including the most recent, are supply side measures and not on the demand side. In times of financial anxiety, what is needed is **direct state spending** for a quick demand boost.
2. Second, large parts of **all the stimulus packages** announced till now would work only in the medium term. These include policies related to the external sector, infrastructure, and manufacturing sector. In fact, some policies towards agriculture, such as productivity enhancement through the introduction of new varieties, will only work over years.
3. Third, the **use of credit backstops** as the main plank of policy has limits compared to any direct measure on the demand side, as this could result in poor growth performance if private investments do not pick up. Further, the credit easing approach would take a longer time to multiply incomes, as lending involves a lender's discretion and the borrower's obligation.
4. What is required now is a sharp revival in overall demand. Income levels matter more than growth rates at this juncture. Hence, the government should find ways to increase the disposable income of its people to revive growth.

### Terms to know:

- [NSO](#),
- [Business Confidence index](#),
- [Purchasing Manager's Index \(PMI\)](#)

### 15. KUSUM wilts under poor planning: Multiple repackaging impacts its success

**Source:** [Business Standard](#)

**Syllabus:** GS 3 – Agriculture and allied activities.

**Relevance:** Power is one of the most important inputs for India's agriculture sector.

#### Synopsis:

Multiple repackaging has impacted the success of this four-year-old flagship scheme to de-dieselise agriculture through solar-powered pump sets.

#### Background:

- The PM-KUSUM (Pradhan Mantri Kisan Urja Suraksha Evam Utthaan Mahabhiyan) scheme was launched in 2018 as a saviour for the farmers.
- Since then, the same scheme has been announced in several "reform packages" and Union Budgets with varying budgetary allocation by the Centre and reduced incentives.

**Objectives of the scheme:**

- The goal was to **de-dieselise the farm sector** by replacing diesel pumps with solarised ones.
- It would also **reduce the burden on state-owned discoms that have to supply subsidized electricity** to the agriculture sector.
- At the same time, discoms were to buy the excess solar power generated by these installations, giving farmers **another source of income**.

**Progression of the scheme and associated issues:**

- In 2018, it had an outlay of Rs 1.4 trillion, including budgetary support of Rs 48,000 crore, over 10 years.
  - **First Issue:** The finance ministry said these sums were too high. It asked the ministry of new and renewable energy (MNRE) to rework the numbers and look at “alternative funding modes for the KUSUM scheme”.
  - **Second issue:** States like Gujarat and Maharashtra were already installing solar pumps under their own schemes. **They were reluctant to merge their schemes** with a central program and let the Centre take the credit for incentivising irrigation for the farmers.
- By the end of 2018, MNRE decided to get the Indian Renewable Energy Development Agency (IREDA) **to raise the required funds. But that plan, too, went nowhere, the principal reason being a funds crunch.**
- In July 2019, **the MNRE issued** an order targeting a solar capacity of 25,750 MW by 2022 under the PM-KUSUM scheme with the central financial support of Rs 34,422 crore.
- Energy Efficiency Services Limited (EESL) issued a tender for off-grid solar water pump systems across India under PM KUSUM; 181,200 solar pumps were to be installed. **The price of pumps was cut 60 percent owing to the large size of the tender.**
  - **Third issue:** There is no public data on the installations, but senior officials claim the target would be met.
- In the February 2020 budget speech, the scheme was expanded to support 20 lakh farmers for setting up stand-alone solar pumps and help another 15 lakh (1.5 million) farmers solarise their grid-connected pump sets.
  - **Fourth issue:** None of the announcements was “new” as such but amounted to repackaging, reflecting the slow progress of the scheme.
- Then in November 2020, the central financial support for the scheme was scaled down to Rs 34,035 crore and the 2022 target increased to 30.8 Gw. At the same time, **the obligation on discoms to buy solar power from farmers throughout the year was removed.**
  - **Fifth issue:** The removal of obligation on discoms acted as a disincentive for farmers towards the adoption of solar-powered pumps.
- In January 2021, EESL issued another tender for off-grid/standalone solar pumps totalling 317,000 to be set up across all states and Union Territories.
  - **Sixth issue:** This ambitious plan ran into legal trouble. Close to a dozen companies that participated in the tender have moved to Delhi High Court against the bidding process for lacking transparency.
- **The Centre has again repackaged the scheme in 2021.** It is now part of the new reform programme for state-owned discoms.

- The scheme would have an outlay of Rs 303,758 crore with an estimated gross budgetary support of Rs 97,631 crore.
- All power sector reform schemes, including the PM-KUSUM scheme, would be subsumed into this umbrella programme.

**Way Ahead:**

- The government believes that once the feeder separation for agriculture was done, farmers would effectively be getting free power from solar-run irrigation systems.
- **Agriculture subsidies would cease to exist in the next four to five years** if the discoms are able to solarise the agriculture feeders.
- Farmers will get free power during the day, and discoms would be able to redirect that amount of electricity to other consumers.

**16. Farm tools can improve the conditions of poor landless agricultural laborers**

**Source:** [Down to Earth](#)

**Syllabus:** GS3 – Issues related to agriculture

**Relevance:** Measures to improve the plight of landless agricultural laborers

**Synopsis:** Majority of those engaged in farming are landless agricultural laborers. A course of action for improving their financial and economic condition.

Landless Agricultural laborers

Landless agricultural laborers are the ones who invest their time in growing crops on others' farms. They don't have any stake-holding in farm assets.

Why should we focus on landless agricultural laborers?

In agriculture, labor is an important component, but is usually not under consideration most of the time.

- Landless agricultural labor is a vital factor in agricultural production. These laborers' productivity and earnings are important determinants of the level of economic development.
- Also, they form the **bulk of those engaged in farming**. At present, the latest census data (2011) a total of 263 million persons (26.3 crores) households are involved in farming activities. Out of this only 119 million persons are land-owning farmers while **144 million are landless workers and peasants**. In other words, the number of landless farm workers and landless peasants is significantly higher than those of land-owning farmers.

**Is asset-holding a solution?**

The following example shows the impact of asset-holding (farm tools in this case) on [landless agricultural laborers](#).

- **Location:** It was done in Nandurbar district of Maharashtra. The area is predominantly tribal. Landless agricultural laborers routinely migrate from the district in search of work due to lack of availability of rural credit as well as lack of employment opportunities in villages.
- **What was done?:** In 2019-20, the Development Support Centre (DSC), a resource-based organization, decided to ensure **basic farm assets** to landless laborers with fund support from a number of corporate social responsibility funds.
  - Some 528 farm toolkit sets including harvester sickles, weeding sickles, hoes, 375 battery spray pumps, and 480 seed dibblers were given to landless farm



laborers and small and marginal farmers in Nandurbar and Nawapur blocks in Maharashtra.

- The farm toolkits are outfitted with **high-quality equipment sets**, with advanced technology that guarantees a quality output beyond manual yield.
- **Aim:** The development of assets for landless agriculture laborers while promoting access to farm tools and technologies for small and marginal farmers at the same time.
- **Impact:**
  - Cumulative growth on an increasing number of workdays, with a higher order of labor productivity and degree of motivation
  - **Improved quality of labor** to farm when one is equipped with his / her own farm tools.
  - Higher **demand for labor** and **20% more earning days** to the landless laborers in a single crop cycle. This implies that now they have the potential to earn an optimum surplus over and above what they survive on.
  - Another observation was that the **laborers enhanced their investment from these returns**. The proportion of re-investments made from the new income earned through original investment was 11-14% more in the project area. The beneficiaries were also found **saving some of their income for emergencies** in the future.

#### 17. GoI should not contest arbitral awards in Indian courts

**Source:** [TOI](#)

**Syllabus:** GS3

**Relevance:** Issues in implementation of arbitral awards due to India's legacy Bilateral Investment Treaty (BIT) structure.

**Synopsis:** In the aftermath of the Cairn arbitral award, a analysis of issues involved and probable future course of action.

#### **Background**

A French court recently allowed Cairn to take control of 20 government of India properties in central Paris, reportedly valued at over \$23 million. This means that India now faces the unpleasant prospect of a similar run on other assets, including strategic oil and gas assets across the globe.

What are arbitral awards?

These refer to the decision of an arbitral tribunal, whether in a domestic or international arbitration. Arbitration is one of the methods of Alternative Dispute Resolution (ADR).

- ADR is the procedure for settling disputes without litigation. Arbitration is a procedure in which the dispute is submitted to an arbitral tribunal which makes a decision on the dispute that is binding on the parties.

#### India & arbitral awards

All foreign arbitral awards are **enforceable** in India as India is a signatory to the **New York Convention of 1963**. However, India signed the New York Convention with one limitation, i.e. only awards that are "considered commercial under the law in force in India" shall be enforceable in India.



What is a BIT?

A BIT is a reciprocal sovereign-to-sovereign guarantee that protects investments and investors of one country in the territory of the other. It additionally provides for dispute resolution mechanisms, such as arbitration, and gives investors the right to private action.

Why treaty holders approach foreign courts?

Due to the following reasons, treaty holders like Cairns, Vodafone like to approach foreign courts:

**1]. Arbitral awards are not commercial awards under Indian laws**

- Delhi high court, hearing a case between the Union of India and Vodafone, was of a prima facie view that **investment treaty awards could not be categorized as commercial under Indian laws**. This, because they were born from a sovereign-to-sovereign guarantee, and not as a pure commercial contract between two contracting parties.

2]. **Arbitral awards under BITs are not foreign court judgements:** Arbitral awards pronounced under BITs are by definition not judgments by foreign courts. In the case of the foreign judgements, there is domestic legislation that allows enforcement in India. BIT awards don't have this advantage.

So, treaty award holders like Cairn identify Government of India's foreign assets and seek refuge before foreign courts.

**Also Read:** [Cairn energy dispute and other such disputes with private entities – Explained](#)

Arbitration disputes – Retrospective taxation

India, from 1994 onwards, has been a signatory to 86 BITs and has been involved in 21 separate arbitration disputes.

- **Retrospective taxation dispute:** Retrospective taxation clause was applied to Vodafone and Cairn. This prompted Cairn and Vodafone to take recourse to the dispute resolution/ arbitration clauses under India's BITs with the UK and Netherlands, respectively. In December 2020, the Permanent Court of Arbitration at the Hague ruled that India's retrospective tax demand was in breach of the guarantee of "fair and equitable treatment" as contained in the India-UK BIT. An award of \$1.2 billion was passed in favour of Cairn Energy Plc. Similarly,

Vodafone BV was awarded an undisclosed amount by PCA.

Model BIT

GoI recognised these issues emerging from its legacy BITs and issued a model BIT in 2016. The model BIT, which has since formed the basis of various renegotiated BITs, attempted to carve out an exception from liability against measures and laws regarding taxation.

But it was also realised that carving out of such exceptions may not send the right signal to the investment community at large.

Therefore, GoI has added a specific clarification that **awards under the new BIT shall be treated as commercial, and will be enforceable under the existing legislative framework in India.**

**Also Read:** [Problems with India's Model BIT – Explained](#)

### 18. For Consumer, a bad bargain

Source: [Indian Express](#)

Syllabus: GS 2 – Government Policies and Interventions for Development in various sectors and issues arising out of their Design and Implementation

#### Synopsis:

Drafted in the name of consumer interest, the proposed e-commerce rules shield vested interests. The rules are marred with multiple issues which may do more harm than good. They seem to create an adverse environment for the inflow of capital in the country, which is in dire need of capital.

#### Background:

- The government has proposed changes to the **e-commerce rules under the Consumer Protection Act**. The objective is to ensure greater compliance and protect the interests of consumers.
- However, as per some experts, the rules have not given due respect to augment and strengthen consumer welfare.
- The rules are driven more by the desire to shield the traditional brick-and-mortar stores, and handicap e-commerce firms, especially the foreign ones. They seek to deepen, not paper over, existing fault lines.

#### [About the Draft Consumer Protection \(E-Commerce\) Rules, 2020](#)

#### Issues associated with rules:

- **First**, the **imposition of the fall-back liability clause on foreign players is unjust**. FDI is permitted only in the marketplace model and not the inventory model.
  - Under this framework, e-commerce platforms don't hold inventory, but simply connect buyers and sellers.
- **Second**, the rules mandate that none of the platform's related parties can sell directly to the consumer through the platform and also forbid flash sales. However, both of these, **adversely impact consumer choice and price**.
- **Third**, the country of origin filter and suggestion of domestic alternatives is a push towards Make in India. However, **the interests of consumers, not domestic manufacturers, should be at the core** of the consumer protection framework.
- **Fourth**, there are **issues of overlapping/competing jurisdictions**.
  - The rules restrain **e-commerce firms from making "available any information pertaining to the consumer"**, to any person, without the consumer's consent.
  - Therefore, the rules give a competing jurisdiction to the Consumer protection authority for the protection of personal data. However, this domain should be ideally dealt with by the data protection authority.
  - Similarly, the rules also state that **e-commerce entities are prohibited from abusing their dominant positions in the market**.
  - For this purpose, the "abuse of dominant position" has been given the same meaning as that prescribed under Section 4 of the Competition Act, 2002.
  - This may induce consumer protection authority to intervene in the jurisdiction **of the Competition Commission of India**.

### 19. Subsidy scheme for shipping firms approved

Source: [The Hindu](#) and [PIB](#)

Syllabus: GS 3- Infrastructure: Energy, Ports, Roads, Airports, Railways etc.

**Relevance:** The article highlights one of the challenges with Indian shipping industry and the new government scheme to tackle it.

#### Synopsis:

Cabinet has recently approved a scheme for the promotion of merchant ships in India by providing subsidy support to Indian shipping companies in global tenders floated by Ministries and CPSEs.

#### Challenges with the Indian Shipping industry at present:

- Despite having a policy of 100% FDI in shipping since 1997, the Indian shipping industry and **India's national fleet are proportionately small** when compared with their global counterparts.
- Currently, the Indian fleet comprises a **meager 1.2% of the world fleet** in terms of capacity. The **share of Indian ships in the carriage of India's EXIM trade has drastically declined from 40.7% in 1987-88 to about 7.8% in 2018-19**. This has led to an **increase in foreign exchange outgo** on account of freight bill payments to foreign shipping companies.
- Since Indian ships are less competitive while compared to their foreign peers, therefore, the **Right of First Refusal (ROFR) policy has not been able to fuel the growth of Indian tonnage**. Data collected from the Indian National Shipowners Association (INSA) reflects that it issued NOCs in 95% of the cases processed under the ROFR mechanism. So, a policy to promote the growth of the Indian shipping industry is also necessary because having a bigger national fleet would provide economic, commercial, and strategic advantages to India.

#### About the scheme:

The scheme will provide Rs.1624 crore over five years as a **subsidy to Indian Shipping companies in global tenders floated by Ministries and CPSEs for the import of government cargo**.

#### Key features of the scheme:

- The subsidy support varies from 5% to 15% of the lowest bid by a foreign shipping company. This depends on whether the ship was flagged after or before February 1, 2021, and the age of the ship at the time of flagging in India.
- Ships older than 20 years would not be eligible for any subsidy under the Scheme
- The budgetary support would be provided directly to the Ministry/Department concerned.
- The Scheme has laid out a monitoring framework which is detailed at also provides for effective monitoring and review of the Scheme.

#### The expected outcome of the scheme:

- The scheme has immense **potential to generate employment**.
  - An increase in the Indian fleet will provide **direct employment to Indian seafarers**, since Indian ships are required to employ only Indian seafarers.

- It also increases **indirect employment in the development of ancillary industries** such as shipbuilding, ship repair, recruitment, banking, etc. and contributes to the Indian GDP.
- A strong and diverse indigenous shipping fleet will not only **lead to foreign exchange savings**, but would also **reduce excessive dependence on foreign ships for transporting India's critical cargoes**.

**Terms to know:**

- [Right of First Refusal \(ROFR\) policy](#)

**20. Potential Economic Consequences of Pandemic**

**Source:** [Livemint](#)

**GS3: Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment.**

**Relevance:** This article highlights the possible long-term economic consequences of COVID-19 for India.

**Introduction:**

- A recent exercise at the **National Council of Applied Economic Research** shows a few possible scenarios. It reveals the **permanent effects** of the pandemic shock that will persist for a very long time.

**Possible Long-term consequences:**

- Firstly, after the **V-shaped growth curves** were seen, many analysts quickly pronounced after a shock that the economy is bouncing back. But such curves simply reflect the **'bowstring' effect of a negative shock**. Thus, these can be quite **misleading**.
  - For instance, in the present case, most forecasts have suggested that the Indian economy will grow by about 8% to 10% during 2021-22. But in the last two years, no such recovery has been seen.
- Secondly, In the optimistic scenario, it is assumed that after recording a growth of over 10% this year, the economy will continue to grow at a high trend rate of 7%. However, it doesn't look possible.
- Thirdly, even at a high growth rate, the catch-up will only happen by the year 2029-30.
  - This is also the year when **our low demographic dependency ratio** will bottom out.
  - It implies that the **narrow window for India's so-called demographic dividend** will start closing.
- Fourth, taking advantage of demographic dividend requires a **complete reform** of our dysfunctional basic education system to improve learning outcomes.
  - It will also require a **more effective skilling program** and rapidly growing employment opportunities to absorb the large slack of unemployment and underemployment.
  - Without these prerequisites, the demographic dividend will turn into a disaster.
- Lastly, a high trend growth rate of 7% or more can only be sustained through an ambitious, **wide-ranging 1991-like reform program**.
  - As the latest Financial Stability Report (FSR) points out, the gross non-performing assets (GNPA) ratio has not deteriorated further in 2021.



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- It has happened only **because of regulatory forbearance** by the Reserve Bank of India on account of covid.
- The FSR stress tests indicate that the GNPA ratio is likely to rise to nearly 10%-11% by March 2022.
- The power sector needs transformation from high-carbon fossil fuels to renewable energy.

### Way forward:

- Complete overhaul of the network of primary health centers, which is the base of our public healthcare system.
- Reform in the financial sector.
- The regressive return to discretionary tariff hikes and other protectionist trade policy measures needs reversal to compete in global markets.
- The need of the hour is to motivate the central and state governments to urgently introduce reforms to counter the long-term effects of the pandemic.

### 21. Power users may soon get to choose supplier

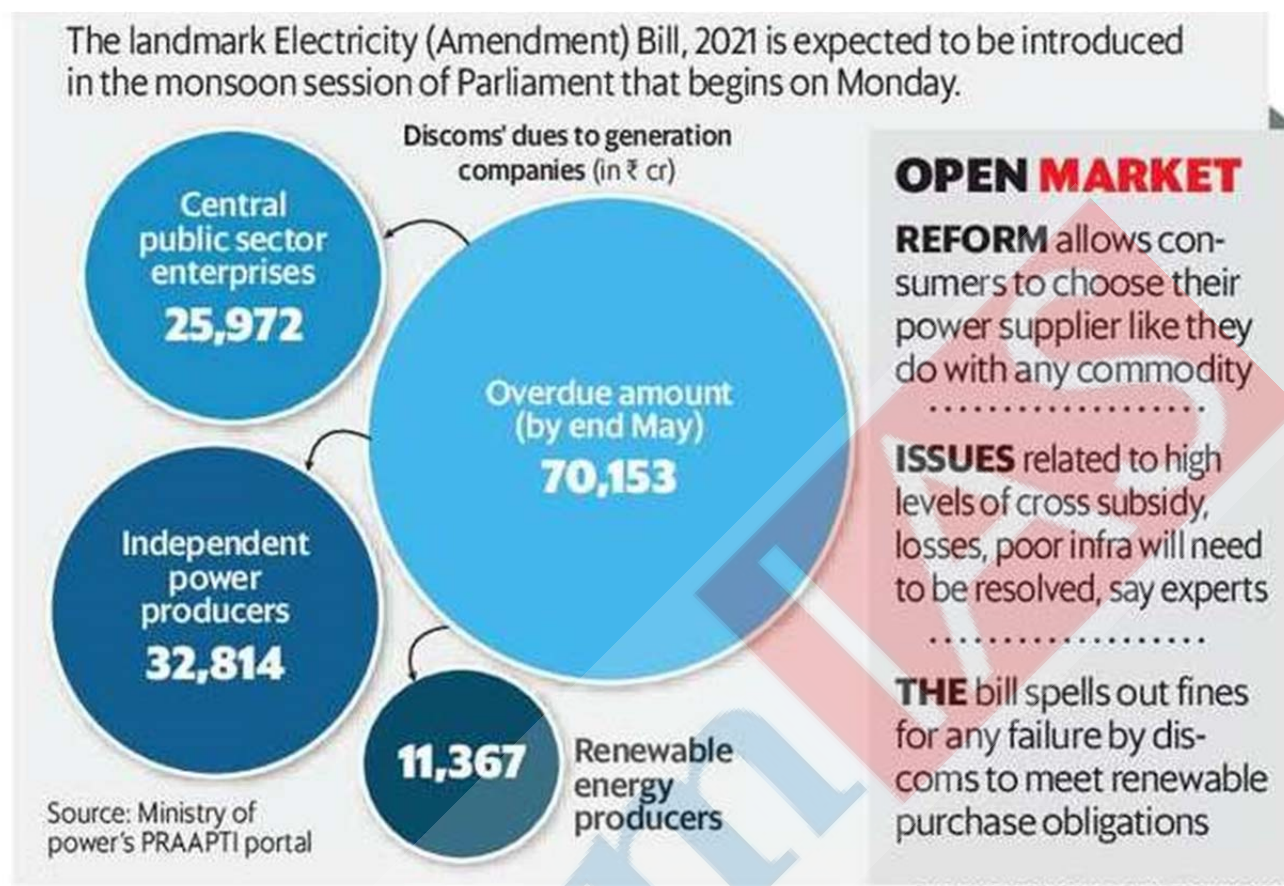
**Source:** [Live Mint](#)

**Gs3: Infrastructure: Energy, Ports, Roads, Airports, Railways, etc.**

**Relevance:** Electricity amendment bill 2021 will improve energy efficiency and consumer protection.

**Synopsis:** Electricity (Amendment) Bill, 2021 is a landmark bill to reform power distribution. The Landmark Electricity (Amendment) Bill, 2021 is expected to be introduced in the monsoon session of the parliament.

### Provisions of the Landmark Electricity (Amendment) Bill, 2021



Source: Live mint

- **Aims of the bill**

- To de-license power supply to increase competitiveness.
- Allows multiple distributors in the same area
- Gives consumers the option to switch power suppliers.
- The bill also proposes appointing a member with a legal background in every electricity regulatory commission and strengthening the Appellate Tribunal for Electricity (Aptel).
- It also spells out penalties for any failure by power distribution companies to meet renewable purchase obligations. Discoms are required to buy a fixed amount of renewable energy to reduce their reliance on fossil fuels.
- In addition, the Electricity (Amendment) Bill also lays down the rights and duties of electricity consumers.

**What needs to be done further to improve the electricity market?**

1. Apart from the above-said reforms, issues related to high levels of cross-subsidy, losses, and poor infrastructure will also need to be resolved.
2. The success of de-licensing or retail competition will critically depend on its ability to address the core issues relating to
  - the high level of cross-subsidies in retail tariffs;
  - inefficiencies in the form of T&D (transmission and distribution)/ AT&C (aggregate technical and commercial) losses; and
  - poor state of T&D infrastructure

3. Imposition of restrictions to address existing tariff distortions or imposition of universal supply obligation on new suppliers would defeat the objective of creating a market-driven industry structure.
4. India has an installed power generation capacity of 383.373GW, the demand has usually been lower than 200GW. However, this changed on 7 July when India's peak electricity demand breached the 200GW mark. And this (electricity demand) gives us the space to carry out energy transition which otherwise would have been difficult.

## 22. RBI action on Mastercard again shows why it is urgent to have an omnibus data protection law

Source: [TOI](#)

**Synopsis:** Mastercard Asia has been ordered by RBI to refrain from taking on new customers as it failed to fulfil its obligations under the local data storage rules.

**Also Read:** [Mastercard can't issue new cards from July 22: RBI](#)

Issues involved

- **Impact on the payments market:** India's retail payments landscape has transitioned to contactless payments, and cards are slowly losing relevance. Cards have a 3% market share and Mastercard is estimated to account for around one-third of those transactions. Therefore, RBI's move, especially since renewal of existing Mastercards are not affected, won't be really market disruptive
- **This [data localisation](#) requirement is also consistent with India's [Personal Data Protection Bill](#) (PDP)** that was introduced in Parliament 19 months ago. The bill was referred to a joint parliamentary committee and its report is still under preparation.

### Way forward

The original bill covered localisation and stated that some critical data shall be processed only in India. PDP cannot exist in isolation. India has globally competitive firms in data processing and PDP's structure will have a ripple effect on them. A benchmark could be the EU's GDPR which allows transfer of data to non-EU-based firms provided they follow the same standards.

**Also Read:** [Personal Data Protection Bill and issues around data localisation](#)

## 23. Climate crisis: Is Earth destabilising?

Source: [Down To Earth](#)

**Syllabus:** GS 3- Conservation, environmental pollution, and degradation, environmental impact assessment.

**Relevance:** This article explains the Planetary boundaries and its impact on Environment.

**Synopsis:**

Professor Johan Rockstrom, an internationally recognized scientist working on global sustainability issues, is looking into much broader questions like Do our planets have boundaries? Can it be defined?

### What is a planetary boundary?

The planetary boundary is a novel concept developed and published by the international team of 18 researchers in the year 2009. According to the paper, there are **nine planetary boundaries**, and they are as follows,

1. Climate change

2. Change in biosphere integrity (biodiversity loss and species extinction)
3. Stratospheric ozone depletion
4. Ocean acidification
5. Biogeochemical flows (phosphorus and nitrogen cycles)
6. Land-system change (for example deforestation)
7. Freshwater use
8. Atmospheric aerosol loading (microscopic particles in the atmosphere that affect climate and living organisms)
9. Introduction of novel entities (eg, organic pollutants, radioactive materials, nanomaterials, and micro-plastics).

The stability of our planet earth is mainly due to these nine processes. These elements are the reason, our planet is intact. Any change in this would greatly affect our planet, and in turn, us. Two of these, **climate change and biosphere integrity**, are **core boundaries**. Any change in these two would drive the Earth System into a new state.

#### **Planetary boundaries level at present:**

Four of nine planetary boundaries: climate change, loss of biosphere integrity, land system change, altered biogeochemical cycles (phosphorus and nitrogen), have crossed the tipping point due to unfavorable human activities

Planetary Boundaries do not dictate how human societies should develop, but they can aid decision-makers by defining a safe operating space for humanity

#### **24. How our detergent footprint is polluting aquatic ecosystems**

**Source:** [Down To Earth](#)

**Syllabus:** GS 3- Conservation, environmental pollution and degradation, environmental impact assessment.

**Relevance:** Detergents not only pollute the environment but also devastate the aquatic ecosystem.

#### **Introduction:**

Water pollution caused by detergents is now a big concern in the global context. The per capita detergent consumption in India is around 2.7 kilograms per year. It is around 3.7 kg in the Philippines and Malaysia and 10 kg in the United States of America.

#### **What is a detergent?**

A detergent is a surfactant or mixture of surfactants that have cleaning properties in dilute solution with water. A detergent is similar to soap.

The detergents contain suspected carcinogens and ingredients that do not fully biodegrade. Few major components of detergents and their impact.

#### **About Nonylphenol:**

Nonylphenol is a hazardous chemical present in detergents, is known to enter water bodies and food chains. It bio-accumulates and can pose serious environmental and health risks.

Recently, it has been **detected in human breast milk, blood and urine**, and is associated with **reproductive and developmental effects in rodents**. It is recommended to find substitutes for nonylphenol.

#### **About Phosphate salts:**

Many laundry detergents contain **approximately 35 to 75 percent phosphate salts**.



### Impact of phosphates:

- Phosphate tends to **inhibit the biodegradation of organic substances**.
  - Non-biodegradable substances cannot be eliminated by public or private wastewater treatment.
- Some phosphate-based detergents can also cause eutrophication. This deprives the water of available oxygen, causing the death of other organisms.

### Other components:

Detergents also contain **oxygen-reducing substances** (ie, a chemical compound that readily transfers oxygen atoms) that may cause severe damage to fishes and other marine animals.

### About BIS standard on phenolic compounds

The Bureau of Indian Standards (BIS) has set the standard of phenolic compounds in drinking water {0.001 milligrams per litre (mg/L)} and surface water (5.0 mg/L).

### Other impacts of detergents on water bodies:

- Detergents are **capable of destroying the external mucus layers that protect the fish from bacteria and parasites**, causing severe damage to the gills.
  - Mostly fish die when detergent concentrations are near 15 parts per million (ppm); however, detergent concentrations as low as 5 ppm will kill fish eggs.
- A few more harmful components of detergents and heavy metal concentrations (like zinc, cadmium and lead) can cause the water to grow murky. This blocks out light and disrupting the growth of plants.
  - Turbidity also clogs the respiratory system of some species of fishes. Pathogens from these toxic water bodies cause diseases, **some fatal, in human or animal hosts diseases**.
- Drinking water contaminated with detergents can be hazardous to human health. The use of eco-friendly and biodegradable detergents should be encouraged to lower our laundry footprints.

## 25. Fuel price surge: What India can learn from Biden and Sunak's tax policies

**Source:** [Business Standard](#)

**GS-3:** Indian Economy and issues relating to planning, Mobilization of Resources, Growth, Development, and Employment.

**Relevance** – The article highlights the options that government can use instead of increasing oil prices.

**Synopsis:** Government should tax the rich to find alternate avenues to raise public resources. When the times change, the policy has to adapt

### Background

- Even when the second **OPEC**-driven oil shock sent international oil prices past \$30 per barrel in 1980, India's petrol price was raised by Rs 5.10 per liter.
- It was no different in 2014. International oil prices had crossed \$100, but India's petrol price was a little over Rs 70.
- It is the opposite today, only because excise on petrol has been trebled per liter, and that on diesel multiplied six-fold.

- Central revenue from taxing petroleum products has multiplied more than five-fold in these last seven years. But there is a danger to such single-source revenue dependency.

#### Why India should find other avenues to raise revenue resources?

- First, the tax to GDP ratio is decreasing. This year's central tax revenues were 9.9 percent of GDP. Before 2014, it was 10.1 percent.
- Second, by 2022, the states will run out of their five years of guaranteed 14 percent annual GST revenue increase. Rates have to be rationalized, and the average GST rate has to be raised closer to the originally intended level as soon as the current slump is over. This will result in decreased revenue resources in the near future.

#### What needs to be done?

- India can learn from the experience of Joe Biden in the US and Rishi Sunak, Britain's finance minister. Both have taxes that are progressive in that they hit the rich, not the poor
- For instance, Biden has proposed to double the tax rate on capital gains, increase the income tax rate for the top tier, and raise corporate taxes.
- Sunak too has said he will raise corporate tax rates after the immediate economic slump is dealt with.
- Both Mr. Biden and Mr. Sunak have reversed the trend in their countries of steadily lowering rates.

#### Way forward

It is the logical and indeed the obvious thing to do in India. There is no other way to address the tax-GDP ratio and find the money needed urgently for defense, health, education, and infrastructure. Even more, borrowing would push up interest rates and will take the level of public debt to dangerous levels.

#### 26. Curbs on foreign card firms

Source: [Indian Express](#)

GS 3: Money and Banking in India.

**Relevance** – Data localization is being taken seriously in India. Aspirants must have knowledge of all aspects linked to it.

**Synopsis:** Recently, the Reserve Bank of India has barred three foreign card payment network companies (Mastercard, American Express, and Diners Club) from taking new customers on board **over the issue of storing data** in India.

#### Background:

- The RBI has stated that the **payment systems need closer monitoring** in the wake of the rising use of digital transactions.
- According to RBI data, there were 90.23 crore debit cards and 6.23 crore credit cards in India as of May 2021.
- As per the **RBI circular on Storage of Payment System Data** 2018, all system providers were directed to ensure that within six months the entire data relating to payment systems operated by them is stored in a system only in India.
- They were also required to **report compliance to the RBI**.

**Meaning and Implication of this move of RBI:**

- **Non-compliance behind barring these companies from enrolling new customers:**
  - On July 14, the RBI **imposed restrictions on Mastercard Asia Pacific** from onboarding new domestic customers in India from July 22.
  - It cited **non-compliance with guidelines** for the storage of data in India.
  - The RBI said it had given almost three years for Mastercard to comply with the regulatory directions.
- **Stakeholders affected by this move:**
  - **Existing customers will not be affected, and** they can continue using these cards.
  - However, **banks and non-banking finance companies** that were planning to use these payment networks won't be able to use these platforms to enroll new customers until the RBI lifts the ban.
  - This leaves only **Visa Inc and homegrown NPCI's RuPay as payment providers** under no restrictions.
  - In the near term, there will be no impact on card issuers, but there could be a medium-term impact if this situation persists.
  - Banks that were planning for new customers through Mastercard will have to look at Visa for enrollment.

**27. Why the Amazon forests are no longer acting as a carbon sink**

**Source – [The Indian Express](#)**

**Syllabus – GS 3 –** Conservation, environmental pollution, and degradation, environmental impact assessment.

**Relevance –** It can be major development because Amazon is the biggest rainforest and should have been the biggest source of oxygen as well.

**Synopsis –** The Amazon forest goes from absorbing carbon dioxide to emitting it. The emissions are produced by fires, higher temperatures, and climate change, resulting in the south-eastern Amazon becoming a source of CO<sub>2</sub>, rather than a sink.

**Introduction –**

- According to a recent study, portions of the Amazon rainforest are now emitting more carbon dioxide than they absorb, a troubling sign for the fight against climate change.
- The Amazon region, has served as an important absorber of carbon dioxide. The changing weather patterns have reduced its effectiveness as a climate change buffer, and the conditions are pushed even more by deforestation, burning and global warming.

**The Amazon basin-**

- The basin covers over 6 million square km, nearly twice the size of India.
- The Amazon rainforests occupy over 80% of the basin and are home to nearly a fifth of the world's land species and about 30 million people including hundreds of indigenous groups and many isolated tribes.
- The basin produces about 20% of the world's flow of freshwater into the oceans

**What are the reasons for Amazon region for not being able to absorb as much CO<sub>2</sub> as it did?**

According to a study published in the journal Nature, substantial deforestation in the eastern and southeastern regions has turned the forest into a source of CO<sub>2</sub> that has the ability to warm the planet.

**Reasons-**

- **First, Deforestation and rapid warming trend have contributed to change in the carbon balance.** It is most severe in the southeastern region of the Amazon, where there are both rising temperatures and reduced rainfall in the dry season.
  - Scientist have observed the following changes-
    - 25 percent reduction in precipitation.
    - The southeastern regions have warmed by 2.7 degrees Fahrenheit during the dry season.
- **Second, Conversion of forests into agricultural land –**
  - This has caused a 17 per cent decrease in the forest cover, an area that is almost the size of continental US.
- **Third, Forest fires –** In the region, the farmers burn their field to clear it for the next crop. Since 2013, the number of fires has doubled [In 2019, fires in the Amazon regions were visible from space].

**Way forward-**

- The Amazon is on the verge of functional destruction; not just the Amazon rainforests, but other Southeast Asian forests have also turned into carbon sources in the last few years as a result of formation of plantations and fires.
- If tropical forests' potential to operate as carbon sinks is to be preserved, fossil fuel emissions must be controlled, and temperature rises must be restricted

**28. Can state immunity be invoked in Cairn Energy case?**

**Source:** Indian Express

**Syllabus:** GS3 – Indian Economy

**Relevance:** This article highlights options before India in the Cairn energy case.

**Synopsis:** State immunity can be invoked to resist the seizure of sovereign assets, but not commercial properties. Besides, fighting the case will consume an enormous amount of resources and attract bad press.

**Background**

A French court recently authorized Cairn Energy to [attach Indian assets in France](#). Cairn Energy has been attempting to seize Indian assets in several jurisdictions to recover \$1.7 billion due from India.

**Also Read:** [Cairns energy issue and other such disputes – Explained, pointwise](#)

**Implications**

- The attaching of Indian assets in France is a **terrible advertisement for India** at a time when it wishes to project itself as a prime destination for foreign investment.
- This episode **puts India in the league of countries like Pakistan, Congo, Venezuela, Russia, and Argentina**. These countries have been part of attachment proceedings overseas due to their **failure to comply** with international arbitral awards.



### State immunity – a possible solution?

State immunity is a well-recognized doctrine in international law which safeguards a state and its property against the jurisdiction of another country's domestic courts.

- This covers immunity from both **jurisdiction** and **execution**.
- Despite the universal acceptance of this doctrine, there is **no international legal instrument in force administering its implementation** in municipal legal systems of different countries.
- Attempts are underway to create binding international law on the application of the rules of state immunity, such as the **United Nations Convention on Jurisdictional Immunities of States and Their Property (UNSCI)**. However, this convention is **yet to be ratified by 30 countries** — the minimum number required to bring it in force, as per Article 30 (1) of UNSCI.
- India has **signed** the convention, but **not ratified** it.
- Absolute immunity & Restrictive immunity
- Over the years, the doctrine of state immunity has progressed from absolute immunity (*immunity from any foreign proceedings unless the state gives its consent*) to restrictive immunity (*immunity only for the sovereign functions of the state*).
- By and large, **most prominent jurisdictions follow the concept of restrictive immunity**. In the context of the execution of the investment treaty arbitration awards, it implies that **state property** that serves **sovereign functions** — such as property of the diplomatic missions, central bank assets, etc. — **cannot be attached**.
- However, properties serving **commercial functions** are available for **seizure**.
- But, in practice, it is not always easy to draw an exact line dividing the two types of property.

### Forum shopping

The absence of an international legal instrument results in countries dealing with questions of immunity through national legislations and domestic judicial practices. In many countries, the judiciary deals with issues of state immunity. This means that certain jurisdictions are perceived as favorable over others when it comes to the execution of investment treaty arbitration awards. This encourages “forum shopping”, where foreign investors approach countries where the possibility of executing the award is higher.

### Air India – a potential target

In the case of India, the most popular commercial property that foreign investors would target for attachment are the global assets of India's public sector undertakings such as Air India.

- To attach the assets of these PSUs, it would have to be shown that these companies are nothing but the **“alter ego”** of the Indian state.

### Way forward

India needs to carefully study the laws on state immunity in different jurisdictions where attachment proceedings are likely to come up. However, in the absence of state immunity for commercial properties, a better option would be to admit that amending the tax law retrospectively was a mistake that resulted in the international ruling and international embarrassment.

**29. Do Tigers Have a Right to Privacy? Yes: Uttarakhand keeping wildlife reserves always open is problematic at many levels**

**Source:** [Times of India](#)

**Syllabus:** GS 3 – Conservation, environmental pollution and degradation, environmental impact assessment.

**Relevance:** The time has come to grant the right to privacy to animals.

**Synopsis:**

The Uttarakhand government has decided to keep the Jim Corbett National Park and the Rajaji Tiger Reserve open all year round to boost tourism. This raises an important question, has the time come to grant the right to privacy to animals.

**About the Right to privacy for animals:**

This right has not been recognised anywhere in any Constitution or any law in the world. Further, there isn't even an international agreement or convention that ensures the welfare and protection of animals.

- In India, humans' right to privacy was famously recognised in the case of Justice KS Puttaswamy (Retd) vs Union Of India in 2018.
- But in the case of **Animal Welfare Board of India vs A Nagaraja & Ors**, the court held that **animals too have the right to life under Article 21** of the Constitution.
  - The issue is whether by recognising the existence of a right to life for animals under Article 21, it implicitly held that this includes the right to privacy as well.

**Constitutional provisions that might lead to right to privacy for animals:**

- **Article 48A** directs the State to protect and improve the environment and to safeguard forests and wildlife of the country.
- **Article 51(g)** casts a fundamental duty on every citizen to protect and improve the natural environment including wildlife, and to have compassion for living creatures.
- Similarly, **Article 51-A(h)** says that it shall be the duty of every citizen to develop scientific temper, humanism and the spirit of inquiry and reform.
- These articles read with the principles developed in *Animal Welfare Board of India vs A Nagaraja & Ors*, lead to the inference that animal species too have the right to privacy.

**Why does India need the right to privacy for animals?**

The right to privacy for animals is vital to the central purpose of a national park or forest reserve.

- **Constant intrusion**, as legal scholar Ewa Haratym rightly observed, **can create suicidal behaviour in animals** or even make them kill their partners or offspring so as to create new private spheres. This defeats the purpose of saving animals.
- Animals perform some functions alone and some functions within their community. **For some functions** like procreation, delivering an offspring or dying, **animals need absolute privacy**.
- **Wildlife is more vigilant near human disturbance**. That results in decreased forage intake and reduced reproductive success. So, filming animals or human presence erodes their privacy.
  - For instance, studies have shown when cows showed greater fear of humans, milk yield was low. Similarly, in poultry, high fear of humans was associated with reduced egg production, growth and product quality.

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So, year-long tourism will therefore likely have a **substantial negative impact on wildlife** in Corbett and Rajaji reserves. It is time for the government to partly respect animals' right to privacy.

### Terms to know:

- [Jim Corbett National Park](#)
- [Rajaji National Park](#)
- [Animal Welfare Board of India vs A Nagaraja & Ors](#)