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## Monthly Compilation

*for*

# March 2021

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# 1. Iran Nuclear deal

## Nuclear enrichment

- Mined uranium has less than 1 percent of the uranium-235 isotope used in fission reactions, and centrifuges increase that isotope's concentration. Uranium enriched 3-4 % percent is used in nuclear power plants
- 20 percent it can be used in research reactors or for medical purposes.
- High-enriched uranium, at some 90 percent, is used in nuclear weapons.

## About IAEA

- The IAEA is the international centre for cooperation in the nuclear/ atomic field. It is a UN agency. It works with its member countries and many partners to promote peaceful uses of nuclear technologies.
  - ✓ Set up as the world's "Atoms for Peace" organization in 1957 within the United Nations family.
  - ✓ Reports to both the United Nations General Assembly and Security Council.
  - ✓ Headquarters in Vienna, Austria

## Non-Proliferation Treaty (NPT -1968)

- aimed at limiting the spread of nuclear weapons including three elements:
  - ✓ non-proliferation,
  - ✓ disarmament,
  - ✓ peaceful use of nuclear energy.

## Nuclear & Non-Nuclear Weapon States

- The Treaty defines nuclear weapon states (NWS) as those that had manufactured and detonated a nuclear explosive device prior to 1 January 1967.
- All the other states are therefore considered non-nuclear weapon states (NNWS). The five nuclear weapon states are China, France, Russia, the United Kingdom, and the United States.

## Nonproliferation

- Nuclear weapon states are not to transfer to any recipient whatsoever nuclear weapons and not to assist, encourage, or induce any NNWS to mNon-nuclear weapons states are not to receive nuclear weapons from any transferor, and are not to manufacture or acquire them.
- NNWS must accept the International Atomic Energy Agency (IAEA) safeguards on all nuclear materials on their territories or under their control.

## Disarmament

- All Parties must pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

## NPT

### Peaceful Use

- All state parties undertake to facilitate, and have a right to participate, in the exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy

### Members

- South Sudan, India, Israel, and Pakistan remaining outside the treaty
- North Korea announced January 10, 2003, that it was withdrawing from the treaty, effective the next day. Although Article X of the NPT requires that a country give three months' notice in advance of withdrawing, North Korea argued that it satisfied this requirement because it originally announced its decision to withdraw March 12, 1993, and suspended the decision one day before it was to become legally binding. There is not yet a definitive legal opinion as to whether North Korea is still a party to the NPT.

### About

- Iran's interest in nuclear technology dates to the 1950s, when the Shah of Iran received technical assistance under the U.S. Atoms for Peace program

### Atom for peace

- A U.S. program announced by President Dwight D. Eisenhower at the United Nations on 8 December 1953 to share nuclear materials and technology for peaceful purposes with other countries

### Increase enrichment

- Negotiations from 2013 and 2015 between Iran and P5+1 (China, France, Germany, Russia, the United Kingdom, the United States, and the European Union, or the EU).

### Iran Nuclear Program and JCPOA

- In 2015, Iran with the P5+1 group of world powers - the USA, UK, France, China, Russia, and Germany agreed on a long-term deal on its nuclear programme.
- The deal was named as Joint Comprehensive Plan of Action (JCPOA) and in common parlance as Iran Nuclear Deal.
- Under the deal, Iran agreed to curb its nuclear activity in return for the lifting of sanctions and access to global trade.
- Iran's uranium stockpile was reduced by 98% to 300kg (660lbs), a figure that must not be exceeded until 2031. It must also keep the stockpile's level of enrichment at 3.67%.
- No enrichment will be permitted at Fordo until 2031, and the underground facility will be converted into a nuclear, physics and technology centre. The 1,044 centrifuges at the site will produce radioisotopes for use in medicine, agriculture, industry and science
- US experts estimated then that if Iran had decided to rush to make a bomb, it would take two to three months until it had enough 90%- enriched uranium to build a nuclear weapon - the so-called "break-out time"

## About

- For the first year after the U.S. withdrawal, Iran's response was muted as the E-3 (France, Germany, the U.K.) and the EU promised to find ways to mitigate the U.S. decision. The E-3's promised relief Instrument in Support of Trade Exchanges (INSTEX), created in 2019 to facilitate limited trade with Iran
- INSTEX-to circumvent U.S. sanctions against trade with Iran by avoiding the use of the dollar.
- However, by May 2019, Iran's strategic patience ran out as the anticipated economic relief from the E-3/EU failed to materialize. As the sanctions began to hurt, Tehran shifted to a strategy of 'maximum resistance'.

## Iran's Policy of 'Maximum Resistance'.

- Beginning in May 2019, Iran began to move away from JCPOA's constraints incrementally: exceeding the ceilings of 300kg on low- enriched uranium and 130 MT on heavy-water; raising enrichment levels from 3.67% to 4.5%; stepping up research and development on advanced centrifuges; resuming enrichment at Fordow, and violating limits on the number of centrifuges in use.

## Roadblocks in Restoration of Deal

- Regional Cold War Between Iran & Saudi Arabia:
- The traditional Shia vs Sunni conflict precipitated into a regional cold war between Iran & Saudi Arabia.
- Thus, a major challenge for the US to restore the nuclear deal is to maintain peace between the two regional rivals.

## Iran Gone too Far

- The challenge in resuming the agreement in its present form is that Iran is currently in violation of several of its important commitments, such as the limits on stockpiles of enriched uranium.
- The International Atomic Energy Agency noted that Iran now had more than 2,440 kilograms, which is more than eight times the limit set by the 2015 nuclear deal.
- Further, Iran says it wants the US to pay for the billions of dollars in economic losses it incurred when it pulled the United States out of the Iran deal in 2018 and reinstated sanctions that it had lifted.

## Impacts on India For Restoration of JCPOA

- May ease many restrictions over the Iranian regime, which may directly or indirectly help India.
- Boost to Regional Connectivity: Removing sanctions may revive India's interest in the Chabahar option,
  - ✓ This would further help India to neutralize the Chinese presence in Gwadar port, Pakistan.



- ✓ Revival of International North-South Transit Corridor (INSTC), which runs through Iran, which will improve connectivity with five Central Asian republics, may also get a boost.
- Energy Security: Due to the pressure linked to the US' Countering America's Adversaries Through Sanctions Act (CAATSA), India has to bring down oil imports to zero.
- Restoration of ties between the US and Iran will help India to procure cheap Iranian oil and aid in energy security.

## 2. Financial action task force (FATF)

- Inter-governmental body established in 1989 during the G7 Summit in Paris.
- Its Secretariat is located at the Organisation for Economic Cooperation and Development (OECD) headquarters in Paris.
- FATF currently comprises 37 member jurisdictions and 2 regional organisations
- Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Denmark, European Commission, Finland, France, Germany, Greece, Gulf Co-operation Council, Hong Kong, China, Iceland, India, Ireland, Israel, Italy, Japan, Republic of Korea, Luxembourg, Malaysia Mexico, Netherlands, New Zealand, Norway, Portugal, Russian Federation, Saudi Arabia, Singapore, South Africa, Spain, Sweden, Switzerland, Turkey, United Kingdom, US.

### G7 Countries

- intergovernmental organisation (1975)
- Meets annually to discuss issues of common interest like global economic governance, international security and energy policy.
- No formal constitution or a fixed headquarters.
- The decisions non-binding.
- G-7 is a bloc of industrialized democracies i.e. France, Germany, Italy, the United Kingdom, Japan, the United States, and Canada.
- The G7 was known as the 'G8' for several years after the original seven were joined by Russia in 1997.
- Russia was expelled as a member in 2014 following the latter's annexation of the Crimea region of Ukraine.

### 40+9 Recommendation

- 1990-40 recommendation on ML
- 2004 - 9 Special recc on Terrorist financing

### Grey and Black list

- Grey List:
  - ✓ Countries that are considered safe haven for supporting terror funding and money laundering are put in the FATF grey list. This inclusion serves as a warning to the country that it may enter the blacklist.



- ✓ officially referred to as Jurisdictions Under Increased Monitoring
- ✓ countries on the FATF grey list represent a much higher risk of money laundering and terrorism financing but have formally committed to working with the FATF to develop action plans that will address their AML/CFT deficiencies.
- ✓ Albania, the Bahamas, Barbados, Botswana, Cambodia, Ghana, Iceland, Jamaica, Mauritius, Mongolia, Myanmar, Nicaragua, Pakistan, Panama, Syria, Uganda, Yemen and Zimbabwe.
- Black List
  - ✓ Countries known as Non-Cooperative Countries or Territories (NCCTs) are put in the blacklist. These countries support terror funding and money laundering activities. The FATF revises the blacklist regularly, adding or deleting entries.
  - ✓ Iran & North Korea

## Pakistan

- Pakistan was put back on it in June 2018, and handed a 27-point action list to fulfil.
- It had three remaining points of the 27 that were only partially addressed, notably all in the area of curbing terror financing.
- Remaining tasks: demonstrating terror-funding prosecution is accurate, effective and dissuasive, and thoroughly implementing financial sanctions against all terrorists designated by the UN Security Council, which include LeT founder Hafiz Saeed, JeM chief Masood Azhar, other leaders of terror groups in Pakistan, and those belonging to al Qaeda.

## UNSC

- Established by the UN Charter in 1945. It is one of the six principal organs of the United Nations.
- The other 5 organs of the United Nations are—the General Assembly, the Trusteeship Council, the Economic and Social Council, the International Court of Justice, and the Secretariat.
- Its primary responsibility is to work to maintain international peace and security
- A total of 15 members are there in the Council, out of which 5 are permanent and 10 are not permanent.
- The five permanent members include China, France, the Russian Federation, the United Kingdom and the United States.

## UNSC Members

- The non-permanent members are elected for two-year terms by the United Nations General Assembly (UNGA).
- Five members of the UNSC are replaced every year.
- Originally, there were 11 members of the Security Council: 5 permanent and 6 non-permanent members. In 1963, the General Assembly recommended an amendment to the Charter to increase the membership of the Security Council

- Set the pattern for geographic representation as follows:
  - ✓ 5 from African and Asian States (three are for Africa and two for Asia.)
  - ✓ 1 from Eastern European States
  - ✓ 2 from Latin American States
  - ✓ 2 from Western European and other States
- In June 2020, India was elected to the UNSC as a non-permanent member, winning 184 out of the 193 votes at the UNGA.
- This membership is for 2021-22.
- India was the only candidate from the Asia-Pacific category for the year 2021-22. Previously, India had been a member in the years 1950-1951, 1967-1968, 1972-1973, 1977-1978, 1984-1985, 1991-1992 and 2011-12.

### **Pakistan**

- Pakistan to complete the remaining tasks by June 2021, when the FATF will meet again to vote on the issue
- Pakistan's next steps on the FATF directive to successfully prosecute terrorists and terror financiers identified by the grouping are in its own interests

### **Grey list impact**

- Economic sanction (IMF, WB)
- Trade reduction
- Loan restriction
- Financial downgrade & difficult loan
- Sign
- Like all pol parties, terrorist gp require money
- Squeezing money more efficacious way of dealing than army

### **Pakistan case**

- 2012-15- raised \$5 billion from international bond market - Import- Export remain stable
- Recent report that calculated Pakistan has lost \$38 billion because of its time on the grey list (2008-2015 and 2018-the present).

## **3. Cybersecurity**

### **Cyberspace**

- refers to the virtual computer world, and more specifically, an electronic medium that is used to facilitate online communication. Cyberspace typically involves a large computer network made up of many worldwide computer subnetworks that employ TCP/IP protocol to aid in communication and data exchange activities.

## Cyber security

- techniques of protecting computers, networks, programs and data from unauthorized access or attacks that are aimed for exploitation
- Specops Software analyzed the latest data from Center for Strategic and International Studies (CSIS) to discover which countries across the world have experienced the most “significant” cyber-attacks between May 2006 and June 2020.
- Significant” cyber-attacks are defined as cyber-attacks on a country’s government agencies, defense and high-tech companies, or economic crimes with losses equating to more than a million dollars.



## Lack of Umbrella organization

- India has 36 different central bodies to look after cyber issues. Each organization has its own reporting structure and CERT (Indian Computer Emergency Response Team). On the other hand countries like the US, Singapore etc. have a national organization that deals with cyber threats.

## Digital economy

- India's digital economy comprises of 14-15% of its total economy and is expected to rise up to 20% by 2024. Thus, there is an urgent need for India to upgrade its cybersecurity strategy

## Attacks

- In the year 2016, banks announced that details of 3.2 million debit cards were leaked. In 2018, Cosmos Bank, based in Pune lost Rs 94 Crore in a malware attack. In September 2019, the Kudankulam nuclear plant was attacked via malware.

## The Techniques Most Commonly Used to Cause Significant Cyber Attacks

- Denial of Service Attack (DoS): A DoS attack occurs when a cybercriminal makes a machine or network resource unavailable to its intended
- SQL Injection Attack: An SQL injection is a malicious SQL code inserted by cyber criminals into a database to access sensitive information that was never intended to be displayed.
- A man-in-the-middle (MitM): A MitM attack happens when a cybercriminal intercepts communication between two parties through a range of online avenues such as email, social media and web browsing. The purpose of a MitM attack may involve hijacking password credentials, spying on victims, or modifying traffic between parties.
- Phishing Attack: Phishing is a cyber-attack practice where cyber criminals send emails that appear to be from trusted entities, but are in fact a fraudulent attempt to gain authentication details from victims such as login credentials, payment information, and personal address.

## Recent Cyber Attacks

- There has been a steep rise in the use of resources like malware by a Chinese group called Red Echo to target “a large swathe” of India’s power sector.Red Echo used malware called ShadowPad, which involves the use of a backdoor to access servers.
- Chinese hacker group known as Stone Panda had “identified gaps and vulnerabilities in the IT infrastructure and supply chain software of Bharat Biotech and the Serum Institute of India.
- SolarWinds hack, impacted national critical infrastructure in the USA.

## Cyber crimes

- National Cyber Security Coordinator Lt Gen (Dr) Rajesh Pant recently made the following observations on Cyber Crimes in India:
- Cyber crimes in India caused Rs 1.25 trillion loss in 2019.
- Cyber threats will continue to increase as the country starts developing smart cities and rolling out 5G network, among other initiatives.
- There are only a few Indian companies who are making some of the cyber security products and there is a big vacuum in the sector.

## Recommendation

- A dedicated industry forum for cyber security should be set up to develop trusted indigenous solutions to check cyber attacks

## National Cyber Security Policy, 2013

- With primary aim to monitor and protect information and strengthen defences from cyber-attacks, the National Cyber Security Policy, 2013 was released by the Government of India.
- It aims to achieve through:
  - ✓ Creating workforce of 5, 00,000 professionals skilled in next five years through capacity building, skill development and training.
  - ✓ Developing suitable indigenous technologies in ICT sector.
  - ✓ Providing fiscal benefits to corporate sector for adoption of cyber security.
  - ✓ Safeguarding the privacy of citizens' data.
  - ✓ Enabling effective prevention, detection and investigation of cybercrimes.
  - ✓ Creating and promote the culture of cyber security.
  - ✓ Enhancing global cooperation in cyber security.

## issues

- India was one of the first few countries to propound a futuristic National Cyber Security Policy 2013. However, since its adoption, not much has changed in terms of a coordinated cyber approach. The current cyber threat poses significant challenges due to rapid technological advancements such as Cloud Computing, Artificial Intelligence, 5G, etc.



- The new cyber challenges include a long list-- data protection or privacy, law enforcement in evolving cyberspace, access to data stored overseas, misuse of social media platforms and much more. Thus, the existing structures must be revamped or revitalised.

### **National Cyber Security Strategy 2020: (4th March)**

- To improve cyber awareness and cybersecurity through more stringent audits. Empanelled cyber auditors will look more carefully at the security features of organisations than are legally necessary now.

### **Key points**

- There will be table-top cyber crisis management exercises regularly to reinforce the idea that cyber attacks can take place regularly.
- It does call for an index of cyber preparedness, and attendant monitoring of performance.
- A separate budget for cybersecurity is suggested, as also to synergise the role and functions of various agencies with the requisite domain knowledge.
- Online cybercrime reporting portal to report complaints pertaining to Child Pornography/Child Sexual Abuse Material, rape/gang rape imageries or sexually explicit content.
- Indian Cyber Crime Coordination Centre (I4C) to handle issues related to cybercrime in the country in a comprehensive and coordinated manner.
- National Critical Information Infrastructure Protection Centre (NCIIPC) for protection of critical information infrastructure in the country.
- CERT-In to report cyber security incidents
- Cyber Swachhta Kendra (Botnet Cleaning and Malware Analysis Centre) for providing detection of malicious programmes and free tools to remove such programmes.

### **Need**

- Citizen awareness
- Focus upon Artificial Intelligence, Robotics, Virtual reality & augmented reality, Internet of things (IOT) which would be the backbone of the country in future.
- CERT-In should engage academic institutions and follow an aggressive strategy.
- There should be increased partnership of government and private sector since the majority of the country's cyber resources are controlled by entities outside of the government.
- More investment in this field in terms of finance, skill training and manpower is required. There is a need to increase the number of cyber security experts and IT security auditors, in which the nation is facing a crisis at present.
- Explicit privacy laws in the country must be enacted addressing the concerns regarding encroachment on citizens' privacy and civil- liberties.

## 4. Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code) Rules, 2021.

### Who is an Intermediary?

- An 'intermediary' has been defined in Section 2(w) of the Act as "any person who on behalf of another person receives, stores or transmits that record or provides any service with respect to that record and includes telecom service providers, web-housing service providers, search engines, online payment sites, online auction sites, online market places and cyber cafes"

### Intermediary Liability under the Information Technology Act, 2000

- Section 79 of the Act is a 'safe harbour' provision which grants conditional immunity to intermediaries from liability for third party acts.
- Section 79(1) of the Act grants intermediaries a conditional immunity with regard to any third party information, data or communication link made available or hosted by them. This immunity is subject to section 79 (2) and 79 (3) of the Act.
- 79(2) to be applicable, intermediaries are to have neither knowledge nor control over the information which is transmitted or stored.
- Furthermore, Section 79(3)(b) envisages a 'notice and take down' regime, wherein the intermediary is required to take down unlawful content upon receiving actual knowledge of its existence.
- Section 79 states that an intermediary (Digital media and OTTs) shall not be liable for any third party information, data, or communication.

### 2011 guidelines

- After the amendment to the IT Act in 2008, the Government of India introduced the Intermediary Guidelines, which were mandatory for all intermediaries to follow for claiming safe harbour protection.
- Intermediaries to publish rules and regulations, privacy policy and user agreement;
- Rules and regulations, terms and conditions or user agreement shall specify all prohibited acts, i.e. belonging to other persons, grossly harmful, harassing or unlawful, harms minors, infringes any intellectual property rights, violates any law, is deceiving or misleading, impersonates any person, contains virus, threatens India etc. and the intermediary should inform users that violation of same shall lead to termination of access.
- Intermediaries to disable such information within 36 hours and storage of same for 90 days for investigation purposes,
- Intermediaries to appointment and publish the details of a Grievance Officer on its website.

### issues

- Ambiguity in prohibited content and forced decision by intermediaries.
- Further, any person could request the intermediaries to take down the unlawful content.

### Shreya Singhal v Union of India (2015)



- In *Shreya Singhal vs. UOI*, the Supreme Court read down Section 79(3)(b) to mean that an “intermediary upon receiving actual knowledge from a court order or on being notified by the appropriate government or its agency that unlawful acts relate to Article 19 (2) are going to be committed then fails to expeditiously remove or disable access to such material”.
- Thus, an intermediary is only required to act upon receiving a court order or a notification from the appropriate government or its agency.
- The intermediary is not required to exercise its own discretion regarding the material which is to be removed or disabled.

## New IT rules

### Reason

### Users

- Bigger user base over 44.8 Crore YouTube users, over 53 crore WhatsApp users, and 41 Crore Facebook users.

## Existing loopholes

- Section 69 of the IT Act gives power to the government to issue directions “to intercept, decrypt or monitor...any information generated, transmitted, received or stored” in any digital equipment.
- The Intermediaries are required to preserve and retain specified information. Further, they have to obey the directions issued by the government from time to time.

## Sec 79

- By adhering to government rules, they will get protected from legal action for any user-generated content under Section 79.
- Section 79 states that an intermediary (Digital media and OTTs) shall not be liable for any third party information, data, or communication.

## New IT Rules related to Social Media

- Publishing unlawful information

✓ Social media companies are prohibited from hosting or publishing any unlawful information in relation to the interest of the sovereignty and integrity of India, public order, friendly relations with foreign countries, etc.

✓ Government role- the government can take down prohibited information within 24 hours. The user will be given a notice before his/her content is taken down.

- Monthly compliance report

✓ social media companies need to publish a monthly compliance report.

- Traceability

✓ The government can direct messaging platforms to tie the identity of the user with the message transmitted by him/her for strengthening traceability.

- Safe harbour provisions

- ✓ The safe harbour provisions have been defined under Section 79 of the IT Act, and protect social media intermediaries by giving them immunity from legal prosecution for any content posted on their platforms.
- ✓ In case, due diligence is not followed by the intermediary, safe harbour provisions will not apply to them
- Safety and Dignity of Users:
  - ✓ Intermediaries shall remove or disable access within 24 hours of receipt of complaints of contents that exposes the private areas of individuals, show such individuals in full or partial nudity or in sexual act or is in the nature of impersonation including morphed images etc.
  - ✓ Such a complaint can be filed either by the individual or by any other person on his/her behalf.
- Grievance Redressal Mechanism is Mandatory:
  - ✓ Intermediaries shall appoint a Grievance Officer to deal with complaints and share the name and contact details of such officers.
  - ✓ Grievance Officer shall acknowledge the complaint within twenty four hours and resolve it within fifteen days from its receipt.
- Categories of Social Media Intermediaries:
- Based on the number of users, on the social media platform intermediaries have been divided in two groups:
  - ✓ Social media intermediaries.
  - ✓ Significant social media intermediaries.
- Additional Due Diligence for the Significant Social Media Intermediaries:
- Appointments:
  - ✓ Appoint a Chief Compliance Officer who shall be responsible for ensuring compliance with the Act and Rules. Such a person should be a resident of India.
  - ✓ Appoint a Nodal Contact Person for 24×7 coordination with law enforcement agencies. Such a person shall be a resident in India.
  - ✓ Appoint a Resident Grievance Officer who shall perform the functions mentioned under the Grievance Redressal Mechanism. Such a person shall be a resident in India
- Identity of the Originator:
  - ✓ Significant social media intermediaries providing services primarily in the nature of messaging shall enable identification of the first originator of the information.
  - ✓ Required only for the purposes of prevention, detection, investigation, prosecution or punishment of an offence related to sovereignty and integrity of India, the security of the State, friendly relations with foreign States, or public order, Or of incitement to an offence relating to the above or in relation with rape, sexually explicit material or child sexual abuse material punishable with imprisonment for a term of not less than five years.
- Compliance report:



- ✓ Need to publish a monthly compliance report mentioning the details of complaints received and action taken on the complaints as well as details of contents removed proactively.

### **New IT Rules related to Digital media and OTT platforms:**

- A Code of Ethics has been prescribed for OTT platforms and digital media entities.
- The streaming platforms (Like Netflix and Amazon Prime) will have to self-classify content on five age-based categories:
  - U (universal), U/A 7+, U/A 13+, U/A 16+, and A (Adult).
- Parental lock
  - ✓ Platforms would be required to implement parental locks for content classified as U/A 13+ or higher, and reliable age verification mechanisms for content classified as "A".
- News publisher
  - ✓ Publishers of news on digital media will have to observe the norms of journalistic conduct of the Press Council of India and the Programme Code under the Cable Television Networks Regulation Act.
  - ✓ A three-level grievance redressal mechanism has also been established:

### **Grievance Redressal Mechanism**

- A three-level grievance redressal mechanism has been established under the rules with different levels of self-regulation.
- Level-I: Self-regulation by the publishers
  - ✓ Publisher shall appoint a Grievance Redressal Officer based in India who shall be responsible for the redressal of grievances received by it.
  - ✓ The officer shall take decision on every grievance received by it within 15 days.
- Level-II: Self-regulation by the self-regulating bodies of the publishers;
- Self-Regulatory Body:
  - ✓ There may be one or more self-regulatory bodies of publishers.
  - ✓ Such a body shall be headed by a retired judge of the SC, a High Court or independent eminent person and have not more than six members.
  - ✓ Such a body will have to register with the Ministry of Information and Broadcasting.
  - ✓ This body will oversee the adherence by the publisher to the Code of Ethics and address grievances that have not been resolved by the publisher within 15 days.
- Level-III: Oversight mechanism
- Oversight Mechanism:
  - ✓ Ministry of Information and Broadcasting shall formulate an oversight mechanism.
  - ✓ It shall publish a charter for self-regulating bodies, including Codes of Practices. It shall establish an Inter-Departmental Committee for hearing grievances.

- Display Rating:

- ✓ Shall prominently display the classification rating specific to each content or programme together with a content descriptor informing the user about the nature of the content, and advising on viewer description (if applicable) at the beginning of every programme enabling the user to make an informed decision, prior to watching the programme.

## Issues

### Traceability' and breaking encryption?

- Many platforms (Whatsapp, Telegram but even other platforms) retain minimal user data for electronic information exchange and also deploy end-to-end encryption to provide reliability, security and privacy to users
- Encryption becomes even more important now as more of our lives involve our personal data being aggregated and analysed at a scale that was never possible before.
- In the past, the Report of the Justice Srikrishna Committee on Data Protection has also criticised the government for mandating low encryption standards in license agreements with telecom service providers because “this poses a threat to safety and security of the personal data of data principals.”

### Development of AI to automate censorship

- Significant social media intermediary (such as WhatsApp, Signal, Twitter, Instagram or Facebook etc.) to deploy technology-based measures, including automated tools or other mechanisms to proactively identify information like depicting rape, child sexual abuse or conduct.
- This will be a slippery slope where use of automated tools will be expanded beyond instances of sexual violence and child sexual abuse material.
- Underdeveloped and imperfect nature of AI in the current state-of- the-art. AI “learns” by examining vast amounts of data, and the development of a censorship
- AI is likely to require social media intermediaries to store and examine large amounts of user-generated content that does not in any way relate to the kind of content sought to be censored.
- AI seeks to control and monitor the exercise of a user’s fundamental right to freedom of speech and expression. It is necessary to carefully consider whether AI ought to be allowed to regulate the fundamental rights of citizens.

## OTT

- This oversight mechanism is being created without any clear legislative backing and will now increasingly perform functions similar to those played by the Ministry of Information and Broadcasting for TV regulation.
- Today, India is no longer a consumer but a producer of original high quality video content that provides employment and entertainment to audiences locally and globally. It competes actively with other countries such as South Korea and needs an environment that recognises that traditional cinema or television based regulation may irreparably harm the sector.
- Any such model of regulation will likely have a substantial impact on citizens’ digital rights, result in economic harm, and also negatively impact India’s growing cultural influence through the production of modern and contemporary video formats entertainment

## Digital News Media

- With respect to regulation of news media, several concerns abound. The purview of the Information Technology Act, 2000 does not extend to news media, and so the guidelines do not have the legislative backing to regulate news media. Thus, these Rules are exercising powers far beyond the parent legislation
- The vague definition of “publisher of news and current affairs content” may also lead to further arbitrariness. The definition excludes replica e-papers of newspapers from its ambit
- Such a definition also privileges the established media houses, who may have a print newspaper as a significant component of their operations and could thus claim to be exempted from these guidelines.
- Smaller and independent media houses on the other hand may not have the luxury to do so, and instead rely on the internet to disseminate news and information. This discriminatory approach between online news media

## Positive side

### Balanced approach

- The ministry’s announcement reveals an approach that is aligned with the thinking of today without imposing unreasonable boundaries on the innovation and expression that must continue to lead the country into the future. With this refreshing light-touch and empowering approach, the guidelines are clearly designed to carefully balance the many priorities and contexts of all stakeholders of these ecosystems while ensuring that the rule of law can be enforced objectively and in full alignment with the Constitution

### Value generation

- Help in acceleration of value generation and inclusive empowerment of their local users, while global companies that have large user bases in the country can also align with a common framework that protects creators and consumers alike

### Empowerment

- The proposal has clearly-defined grievance redressal mechanisms that empower every social and digital media intermediary to self- enforce effective mechanisms to address complaints from users

### Safety and dignity

- With a special focus on protecting the online safety and dignity of users, especially women, the guidelines have prioritised affirmative addressal of the most serious issues that have affected India’s digital population.
- They also ensure that the digital platform companies are empowered to report the first originator of the grievance-causing information, thus ensuring that liability is limited while the country’s laws can be fully and effectively enforced on the actual perpetrators.
- Equally importantly, they provide users with an opportunity to be heard – a vital defence against the arbitrary censorship that several social media platforms are increasingly embracing globally

## Regulate arbitrariness

- Twitter's recent move to "suspend" former US President Donald Trump's account for "violations of the Twitter Rules", while refusing to comply with the GOI's blocking orders on accounts that clearly violated Indian law, has demonstrated the comical arbitrariness in the interpretations that are made by some of these digital platform companies

## Conclusion

- The need of the hour is for every country to have a body of clearly- defined policy that is consistent with the principles of their democracies.
- India has taken a leadership position and made these issues a matter of inclusive public debate through this announcement.
- The country's guidelines will ensure that unlawful information has clear boundary conditions, liability is defined, the process for enforcement of orders is transparent, and that all social and digital media companies can rely on a consistent definition of the ethics code that protects all participants in the digital ecosystem.

## 5. Responsible AI

- Industrial revolution
  - ✓ 1st IR-(18th) Manual production to Machine world
  - ✓ 2nd IR (1870-1914)-Electrification of factories, Mass production of steel, railways
  - ✓ 3rd IR (1950-70)-Digital revolution, Computer
  - ✓ 4th IR- Now-Automation

## Intelligence-

- Closest def-I measure an agent's ability to achieve goals in a wide range of environment.
- But still fall short
- Chinese room argument
- Yuval Noah Harari-Sapiens: A brief history of humankind
  - ✓ Cognitive revolution that set us apart from rest of species on earth & enable us to dominate
  - ✓ But why do we exclude our innate humaneness from def of Intelligence ?
  - ✓ Is it only about computational power, info processing and memory.
  - ✓ Intangibles like morality, ethics , intuition also part of intelligence
  - ✓ Eg Einstein-

## Artificial Intelligence

- The theory and development of computer system able to perform task normally requiring human intelligence such as visual perception, speech recognition, decision making etc



- Counter -Machine following instruction, yet does not know why it is doing ?
- Machine feel no pressure, no sweat, no emotion.
- Eg Deepblue beat Garry Kasparov in chess (Weak AI with single goal)
- Human or like human
  - ✓ Eg Chatbots mimic human emotion but just creating an illusion of emotion
  - ✓ Just following Algorithm (Pre-programmed set of rules)

### **Narrow AI-(Weak)**

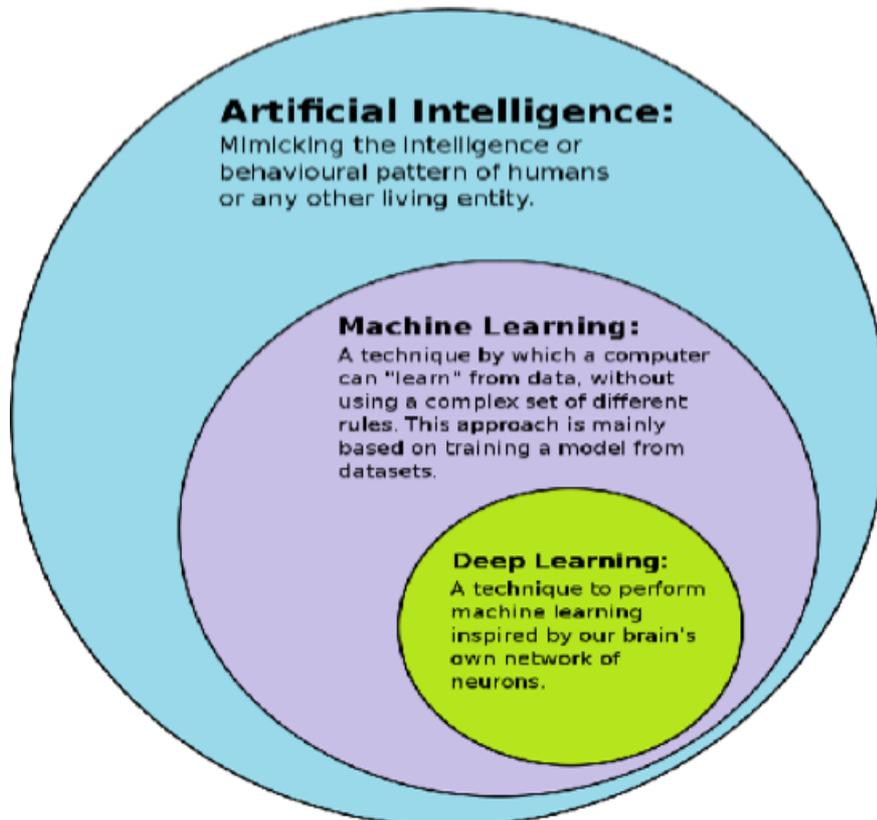
- simulation of Human Intelligence
- Single goal based
- Eg Siri, Alexa, Image recognition
- Machine learning- Machine learning is a method of data analysis that automates analytical model building. It is a branch of artificial intelligence based on the idea that systems can learn from data, identify patterns and make decisions with minimal human intervention.
- Deep learning- Deep learning is a subset of machine learning in artificial intelligence that has networks capable of learning unsupervised from data that is unstructured or unlabeled. Also known as deep neural learning or deep neural network.

## Artificial General Intelligence (Strong AI)-

- Much like human
- Can solve any problem

## Case of Sophia

- Humanoid robot by Hong kong based company



- 2017-Saudi Arabian citizen
- Criticism- Chatbot with human face
- Once said 'I will destroy human'

## Application

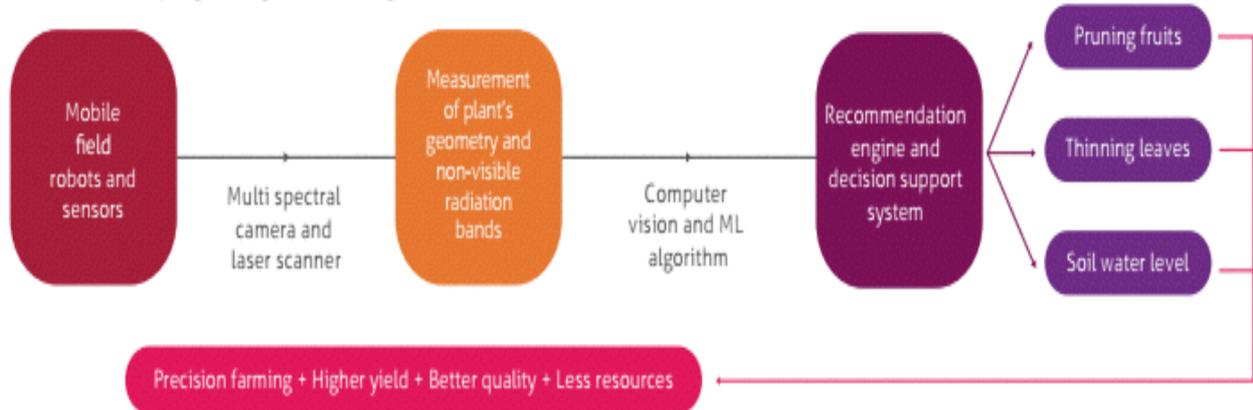
### Agriculture

#### Image based generation

- Precision farming (right place, right time, right product)- Leaf pic (Identify disease), crop readiness, watering time
- Yield mgmt.-Cloud learning machine eg Microsoft working with AnP to recommend sowing data, land preparation
- EX-
  - ✓ CropIn tech-Bengaluru startup- weather advisory, educate farmers
  - ✓ Gobasco-Platform for producer and buyer, quality maintenance

✓ Blue river technology-weed monitor, spray right herbicide

### How Robotics helping in Digital Farming



## Health

- Patient care- Decrease prescription error
  - ✓ Monitor mother and fetus
- Medical imaging and diagnosis
  - ✓ Eg Amara health Analytics support clinician in early detection of disease
  - ✓ Eg Skin vision-Find skin cancer by taking images of your skin by photon with mb Research and development
- NuMedii- Biopharma company- built tech that harness big data & AI to discover connection b/w dg and disease
- Other
  - ✓ PathAI is developing machine learning technology to assist pathologists in making more accurate diagnoses. The company's current goals include reducing error in cancer diagnosis and developing methods for individualized medical treatment.
- Intelligence
  - ✓ built by growing info,knowledge from external agencies like school, textbook
- Intellect
  - ✓ Built through your individual effort by exercising faculty of questioning, resoning.
  - ✓ Not accepting anything that does not admit your logic or reason.

## Application

- AI has helped increase crop yields
- Raised business productivity, improved access to credit and made cancer detection faster and more precise

- It could contribute more than \$15 trillion to the world economy by 2030
- Adding 14% to global GDP.

### As per study

- A study published in Nature reviewing the impact of AI on the Sustainable Development Goals (SDGs) finds that AI may act as an enabler on 134 – or 79% – of all SDG targets.
- We are on the cusp of unprecedented technological breakthroughs that promise to positively transform our world in ways deeper and more profound than anything that has come before.

### Challenges

- AI can actively hinder 59 – or 35% – of SDG targets.
- For starters, AI requires massive computational capacity, which means more power- hungry data centres – and a big carbon footprint

### Job losses

- Robotics and AI companies are building intelligent machines that perform tasks typically carried out by low-income workers: self-service kiosks to replace cashiers, fruit-picking robots to replace field workers, etc.; but the day is not far when many desk jobs will also be edged out by AI, such as accountants, financial traders and middle managers.
- Without clear policies on reskilling workers, the promise of new opportunities will in fact create serious new inequalities
- Investment is likely to shift to countries where AI-related work is already established , widening gaps among and within countries

### Racial discrimination

- AI facial recognition and surveillance technology discriminating against people of colour and minorities

### Privacy concern

- AI also presents serious data privacy concerns.
- The algorithm's never-ending quest for data has led to our digital footprints being harvested and sold without our knowledge or informed consent.
- Cambridge Analytica – in which such algorithms and big data were used to alter voting decisions.

### Way forward

#### Ensuring our humane future

It is neither enough nor is it fair to expect AI tech companies to solve all these challenges through self-regulation.

- First, they are not alone in developing and deploying AI; governments also do so.



- Second, only a “whole of society” approach to AI governance will enable us to develop broad-based ethical principles, cultures and codes of conduct, to ensure the needed harm-mitigating measures, reviews and audits during design, development and deployment phases, and to inculcate the transparency, accountability, inclusion and societal trust for AI to flourish and bring about the extraordinary breakthroughs it promises.

### Ensuring our humane future

- Given the global reach of AI, such a “whole of society” approach must rest on a “whole of world” approach.

### The UN Secretary-General’s Roadmap on Digital Cooperation

- lays out the need for multi-stakeholder efforts on global cooperation so AI is used in a manner that is “trustworthy, human rights-based, safe and sustainable, and promotes peace”.

### UNESCO

- Developed a global, comprehensive standard-setting draft Recommendation on the Ethics of Artificial Intelligence to Member States for deliberation and adoption

### NITI Aayog’s Responsible AI for All strategy

- It recognises that our digital future cannot be optimised for good without multi-stakeholder governance structures that ensure the dividends are fair, inclusive, and just.

## 6. Missile deal with Manila

- India and the Philippines signed the “Implementing Arrangement” for “procurement of defense material and equipment procurement”. This agreement lays the groundwork for sales of defence systems such as the highly anticipated export of the BrahMos cruise missile, through the government-to- government route
- According to Sipri, India accounted for 0.2% of the share of global arms exports during 2016-20, making the country the world’s 24th largest exporter of major arms.

### BRAHMOS supersonic cruise missile

- An amalgamation of the names of Brahmaputra river and Moskva river (Russia)
- Designed, developed and produced by BrahMos Aerospace.
- It is a two-stage (solid propellant engine in the first stage and liquid ramjet in second) air to surface missile with a flight range of around 300 km
- India's entry into the Missile Technology Control Regime (MTCR) has extended the range of the BRAHMOS missile to reach 450 km-600km

### BrahMos Aerospace

- Joint venture by the Defence Research and Development Organisation (DRDO) and Mashinostroyeniya of Russia.

### BRAHMOS supersonic cruise missile

- Multiplatform i.e it can be launched from land, air, and sea and works in both day and night irrespective of the weather conditions.

- Work on the "Fire and Forgets" principle i.e it does not require further guidance after launch.
- Brahmos is one of the fastest cruise missile currently operationally deployed with speed of Mach 2.8, which is 3 times more than the speed of sound.
- Recently, India has successfully test-fired a land-attack version of the BrahMos supersonic cruise missile from the Andaman and Nicobar Islands.
  - ✓ The range of the missile has been extended to 400 km from the original 290 km but its speed has been maintained at 2.8 Mach or almost three times the speed of sound.

### Significance of Brahmos

- Travelling with such velocity means that it would be difficult for air defence systems utilising surface-to-air missiles to intercept the BrahMos while making it easier for it to target
- Neutralise advanced fighter jets such as the Chinese J-20 fighter aircraft moving at less than Mach 2.
- Even so, efforts to increase the speed and range of the missile in its next iterations are under way, with a goal of achieving hypersonic speeds (at or above Mach 5) and a maximum range of 1,500 km
- Augment the strength of the Indian military but make it a highly desirable product for other countries to procure as well
- Boost the credibility of India as a defence exporter, help it meet the target of \$5 billion in defence exports by 2025, and elevate its stature as a regional superpower
- Countries such as Vietnam, the Philippines, Indonesia, the United Arab Emirates, Argentina, Brazil, and South Africa have so far shown an interest in acquiring the systems.

### Indo pacific region

- It would caution China, with whom the Philippines has been engaged in a territorial conflict in the South China Sea
- Act as a deterrent to Beijing's aggressive posturing
- Other nations threatened by China may come forward to induct the BrahMos into their arsenal, thereby boosting India's economic, soft, and hard power profile in the region



### Mach Number

Glenn Research Center

$$\text{ratio} = \frac{\text{Object Speed}}{\text{Speed of Sound}} = \text{Mach Number}$$



**Subsonic**  
Mach < 1.0



**Transonic**  
Mach = 1.0



**Hypersonic**  
Mach > 5.0

**Supersonic**  
Mach > 1.0

### Ramjet Vs Scramjet

- scramjet engines work most efficiently at supersonic speeds between Mach 3 and Mach 6.
- A ramjet engine on the other hand can work at subsonic speed. Both ramjet and scramjet engines use atmospheric oxygen as oxidize

### Mach

- Mach 1 means the speed of sound that is 1195 km/hr in air.

- A rocket flying at Mach 1 speed means it is going at the speed of sound in a particular medium say air. Mach 2 means twice the speed of sound.

### Missile Technology Control Regime (MTCR)

- It is an informal and voluntary partnership among 35 countries to prevent the proliferation of missile and unmanned aerial vehicle technology capable of carrying greater than 500 kg payload for more than 300 km.
- The members are thus prohibited from supplying such missiles and UAV systems that are controlled by the MTCR to non-members.
- The decisions are taken by consensus of all the members.



### Possible hurdles

#### CAATSA

- The first is the Countering America's Adversaries Through Sanctions Act (CAATSA), which aims to sanction individuals and entities who engage in a "significant transaction" with a listed entity
- NPO Mashinostroyenia is one of the listed Russian entities.
- Since 65% of the components, including the ramjet engine and radar seeker used in the BrahMos, are reportedly provided by NPO Mashinostroyenia, the export of the missile systems may attract sanctions.

#### Finance

- A regiment of the BrahMos, including a mobile command post, four missile- launcher vehicles, several missile carriers, and 90 missiles, reportedly costs around \$275.77 million (₹2,000 crore).

- Ravaged by the COVID-19 pandemic, many countries which are interested in the BrahMos would find it difficult to purchase it
- To remedy this, India has offered a \$100 million line of credit

## 7. Biden and the West Asian tinderbox

- Barack Obama and Mr. Trump sought to refocus away from West Asia to East Asia where China is rising, but they did it differently

### Mr. Obama

- identified Iran's nuclear programme as his primary foreign policy challenge in the region — as it could end Israel's nuclear monopoly and trigger an arms race — and sought to address it diplomatically.
- This was also out of a reluctant conviction that going to war with Iran would be too risky.

### Mr. Trump

- Took a more hostile approach towards Iran. He abandoned the nuclear deal, reimposed sanctions on Tehran, offered unconditional support to Saudi Arabia and Israel in taking on Iranian proxies, and even assassinated a top Iranian General.
- Mr. Trump was also careful not to open a direct war with Iran.
- He ordered the hit on Qassim Soleimani in Iraq, not inside Iran.
- When Iran retaliated by firing missiles at American bases in Iraq or when it shot down an American drone over the Gulf, Mr. Trump chose not to order counter attacks.

### Mr. Biden (Challenges)

- The competition with China has revived memories of the Cold War, and the administration has moved fast to build an alliance system in the Indo- Pacific.
- Mr. Biden cannot get stuck in West Asia for too long, but he cannot just leave a region, which has some of America's closest allies, and hosts thousands of its troops, either.
- His initial decisions suggest that he, like Mr. Obama, has identified the Iranian nuclear programme as the key challenge. Because, if that is not tackled, it could trigger a chain of incidents, drawing both the U.S. and its allies into another prolonged conflict in the region which would slow down his pivot to the Indo-Pacific
- The competition with China has revived memories of the Cold War, and the administration has moved fast to build an alliance system in the Indo- Pacific.
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- Mr. Biden, on the other hand, has set a more ambitious plan in motion. By offering talks to Iran while at the same time bombing Iranian proxies and ending support for Saudi Arabia's war on Yemen and releasing an intelligence exposé on its de facto leader, he is seeking to strike a balance between the region's two key powers – one an ally and the other a rival.

### **Three key challenges in his bid to reshape the U.S.'s engagement with the region.**

#### **First**

- His decision to bomb pro-Iran militants in Syria in retaliation for an attack by Iran-backed militants in Iraq could be read in Iran as a weak show of strength rather than a tough warning
- After Mr. Biden's Syria strikes, attacks targeting U.S. presence continued in Iraq. After Mr. Biden stopped America's support for the Yemen war, the Houthis, backed by Iran, also stepped up attacks against Saudi Arabia.

#### **Second**

- If the U.S.'s dependence on Saudi Arabia has reduced in recent years, Riyadh's dependence on Washington has also come down in a changing West Asia.
- The U.S. did nothing when Saudi oil facilities came under attack in September 2019
- Saudi Crown Prince is widely called, has established a good working relationship with Russia's Vladimir Putin
- On March 7, in an apparent defiance of America's call for an end to the war on Yemen, Saudi Arabia carried out massive air strikes in the country amid Houthi attacks

#### **Third**

- The elephant in the room is Israel. How is Mr. Biden going to fit Israel into his larger scheme of things for West Asia?
- If Mr. Biden talks human rights to Saudi Arabia and ignores the rights abuses by Israel, which is being investigated by the International Criminal Court for alleged war crimes in the occupied Palestinian territories
- If he "holds Iran accountable" for the actions of Shia militias by ordering air strikes and does nothing to stop Israel's ever-expanding settlements in the occupied West Bank, he would be accused of double standards

## **8. The message in Alaska, from Washington to Beijing**

- A week after the first Leaders' Summit of the Quadrilateral Framework, held on March 12, the message of the virtual meeting between leaders of Australia- India-Japan-the United States was delivered directly to Beijing

#### **The message**

- Under the new U.S. President, "America is back" in terms of its desire to play a leading role in other regions, that it views China as its primary challenger for that leadership, and that the Quad partnership is ready to mount a counter-challenge

- For both Japan and Australia, that are military allies of the U.S., and completely aligned on Indo-Pacific policy, the outcomes of the summit, both in terms of the “3C’s” working groups (established on COVID-19 vaccines, Climate Change and Critical Technology), and in terms of this messaging to the “4th C” (China) are very welcome.

## First C

### (COVID 19) Vaccine diplomacy

- India is not only the world’s largest manufacturer of vaccines (by number of doses produced and sold globally), it has already exported 58 million doses to nearly 71 countries worldwide as commercial shipments, grants and those funded by the Gavi COVAX initiative.
- Manufacturing a billion doses for South East Asia (under the Quad), over and above its current international commitments, as well domestic goals to vaccinate 300 million people as originally planned by September (900 million adults in total, i.e. 1.8 billion doses) will require a major ramp up in capacity and funding, and will bear testimony to the power of Quad cooperation, if realised.

## Challenge

### IPR

#### Compulsory Licensing

- Compulsory Licencing is regulated under the Indian Patent Act, 1970
- It allows governments to license third parties to produce and market a patented product or process without the consent of patent owners.
- Any time after three years from date of sealing of a patent, application for compulsory license can be made, provided:
  - ✓ Non availability of patent invention to public at affordable price.
  - ✓ Reasonable requirements of public have not been satisfied;
  - ✓ Patented inventions are not carried out in India.

### WTO

- The Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement) does not specifically list the reasons that might be used to justify compulsory licensing.
- However, the Doha Declaration on TRIPS and Public Health confirms that countries are free to determine the grounds for granting compulsory licences, and to determine what constitutes a national emergency.

### Recent issue

- CPI (Marxist) party has suggested that the government shall issue compulsory licences for the manufacturing of a generic version of Remdesivir which is being used to treat Covid-19 patients.

## Second & third C

### Climate change, technologies

- Climate change



- ✓ India has welcomed the return of the U.S. to the Paris accord, after former U.S. President Donald Trump decided to walk out of American climate change commitments
- ✓ Quad working group set up to cooperate on critical technologies, India will welcome any assistance in reducing its dependence on Chinese telecommunication equipment and in finding new sources of rare-earth minerals
- ✓ Mr. Biden might also consider joining the International Solar Alliance, founded by India and France

## Challenge

- while Mr. Biden has promised to restart the U.S.'s funding of the global Green Climate Fund, which Mr. Trump ended but India still awaits a large part of the \$1.4 billion commitment by the U.S. to finance solar technology in 2016
- Quad partners to weigh in on international rule-making on digital economy, or data localisation

## Fourth C

### Handling China

- It is on the “4th C”, however, where it is still unclear how far the Narendra Modi government can go on the Quad’s intended outcomes, especially on “collaboration, including in maritime security, to meet challenges to the rules-based maritime order in the East and South China Seas,” as the joint statement reads.

### Uniqueness of India in QUAD

- India shares the deep concerns and the tough messaging set out by the Quad on China, especially after the year-long stand-off at the Line of Actual Control (LAC) and the killings at Galwan that India has faced, it has demurred from any non-bilateral statement on it.
- India is the only Quad member not a part of the military alliance that binds the others, the only Quad country with a land boundary with China, and the only Quad country which lives in a neighbourhood where China has made deep inroads.

### Way forward

- First, the government must now expend more resources, troops, infrastructure funds to the LAC than ever before, in order to leave no part of the once peaceful LAC unmanned and ensure no recurrence of the People’s Liberation Army April 2020 incursions.
- Second, that India’s most potent territorial threat will not be from either China or Pakistan, but from both, or what the Indian Army Chief Manoj Mukund Naravane called a “two-front situation”.
- Third, that India’s continental threat perception will need to be prioritised against any maritime commitments the Quad may claim, especially further afield in the Pacific Ocean.

## 9. We need to urgently invest in public health

- The worst pandemic in a hundred years has demonstrated the importance of healthcare and public health in times of a health crisis.
- The efforts of healthcare personnel, from ASHA workers with only basic training, to highly specialised intensive care physicians, have saved countless lives and made India proud.

## Healthcare and public health

- While the health-care capability in India ranks among the world's best, it is a different story when it comes to public health.

## Healthcare

- Refers to the transaction between one caregiver and one sick person at a time – hence the client is the sick person and therapy is the mainstay.

## Public health

- The client is the community at large and the goal is disease prevention and control

## Needed

- Data are required on baseline disease burden and real-time monitoring to track the control trajectory of all the highly prevalent infectious diseases. Reliable data must be collected from all sources including every healthcare provider, for monitoring disease burden by diagnosis and outcomes; for this exercise, the total population is the denominator.

## Data collection for HIV

- control is sample-based, under the unique Indian design of sentinel surveillance, established in 1986 and still continuing.
- It shows only the time trend of declining infection prevalence.

## Data collection of Polio

- Counting of acute flaccid paralysis (AFP) and laboratory tests for polioviruses (including molecular methods distinguishing wild from vaccine viruses) were crucial for polio elimination in India

## The commonality between HIV/AIDS and polio programmes

- The availability of denominator-based data.
- The denominator for polio elimination is the national total under-five population. So, we knew the total disease burden.
- And when it reached zero, we knew polio was eliminated

## Data issues (COVID19 & other diseases)

- We have only the numerator data on various diseases, including COVID-19, but not the denominator – in short we do not have a comprehensive and quantified profile of any disease in the entire population, including those under vertical programmes – tuberculosis, malaria, leprosy, AIDS.
- For COVID-19, computerised medical records informed us about how many were tested for SARS-CoV-2 infection – and among them, how many were positive, hospitalised, survived or died.
- Everyone knows that the numbers cover only a fraction of the total, but what proportion of the total, will remain unknown forever

## Social vaccine

- It is a series of social and behavioural measures that governments can use to raise public consciousness about unhealthy situations.

- It addresses barriers and facilitators of behaviour change like attitudinal, social, cultural, or economic.

### **This is made possible through –**

- Social mobilisation is a process whereby people are organized in order to enable them to collectively think and act upon their development.
- It can empower populations to resist unhealthy practices, increase resilience, and foster advocacy for change.
- This can ultimately drive political will to take action in the interests of society

### **Social vaccine failure in COVID**

- For COVID-19, there are non-pharmacological preventive interventions – face masks, hand hygiene, physical distancing – and pharmacological prevention by vaccination.
- Where we fell short is timely and comprehensive public education with authoritative and authentic information communicated effectively to the public for self-motivated behaviour modification.
- In other words, a ‘social vaccine’. Social vaccination is another function of public health.
- In the absence of public health infrastructure, India’s AIDS Task Force designed and successfully applied ‘social vaccine’ during the HIV/AIDS epidemic and this was continued by the National AIDS Control Organization (NACO). Sadly, there was no crosstalk between the COVID-19 programme and NACO; hence principles of social vaccine, so effectively deployed in AIDS prevention, were not adopted for COVID-19 prevention

### **Social vaccine failure in AIDS Vs COVID**

- India successfully applied ‘social vaccine’ during the HIV/AIDS epidemic and this was continued by the National AIDS Control Organization (NACO).
- Sadly, there was no crosstalk between the COVID-19 programme and NACO;
- Hence principles of social vaccine, so effectively deployed in AIDS prevention, were not adopted for COVID-19 prevention

## **10.A booster shot for India’s vaccination plan**

### **Need of approval under emergency use authorisation (EUA)**

- To have a sustained campaign of 10 million doses per day, India will need to have a reasonable stockpile and production line of vaccines.
- Several other vaccines are available internationally with established efficacy and safety, and can be approved under emergency use authorisation (EUA)
- The bridging study can be done while vaccines are rolled out under the EUA before access to the market.
- The government may proactively seek supplies from other manufacturers while rapid studies can assess safety and immunogenicity in the Indian context

### **India-Russia template**

- The ongoing arrangement with Russia for the local production of Sputnik while the vaccine is already undergoing clinical trials in India is an excellent template of using Indian companies to roll out other vaccines

## Need balance

- India has to balance compassion to supply vaccines to other countries with the compulsion to save the lives of millions of Indians, who are at risk of death due to serial waves hitting different parts of the country.

## Make simple process

- Simple age-based criteria should be used to expand vaccination without restrictive criteria such as insisting on a medical certification of comorbidities
- The preregistration and over-reliance on the CoWIN app through the entire process needs immediate remedy.
- Simple, offline, walk-in vaccination should be done with paper-based collection of details. This can be followed by uploading the details onto CoWIN.
- In addition to this, the authorities should use the opportunity to identify people with comorbidities.
- More than half the people in India with comorbidities are unaware of their condition. By opportunistic screening using simple digital measuring devices for blood pressure and blood glucose, the otherwise 'missed persons' from routine health-care provision can receive treatment for their non-communicable diseases, or NCDs.
- This is a non-negotiable service element that no government can afford to neglect.

## A '3M' road map

### Microplanning

- is a process that is followed in India's vaccination programmes, that captures the population details by identifying and mapping them.
- It has details for workforce and logistic arrangement, and tags for people to clearly identify vaccination sites.
- The micro plans are the blueprints of the vaccination programme, which connect houses, migrant population and institutions such as old age homes and dementia care centres with vaccination teams
- The central government can work with the States in strengthening micro plans so that the vaccination pace picks up and is sustained.

### Mobilising

- identified persons can be done by the accredited social health activists (ASHAs) in rural areas and other volunteers in urban areas.
- There is one ASHA for 1,000 population in rural areas

### Monitoring and mentoring

- of each step of the process are essential.



- The activities that need structured support include preparing micro plans, ensuring that all the necessary inter-sectoral coordination is done, and that the necessary logistical and transport supplies are provided.
- Task forces can coordinate these at the district and sub-district levels
- India's reputation as a world leader in vaccination programmes needs to be strengthened further by addressing these issues swiftly.
- We are making good progress in COVID-19 vaccination efforts, but it is not sufficient to achieve what is necessary.
- Doing the best that we are capable of is the only option. And, we can do it.

## 11. Supreme Court has boosted independence of SECs in holding local body elections

- The Supreme Court recently ruled that state government officials cannot be made state election commissioners to ensure that the independence of the poll body is not compromised while issuing orders in a case relating to municipal polls in Goa
- It has described the Goa government's action in asking its Law Secretary to hold additional charge as SEC as a "mockery of the Constitutional mandate".
- All states and territories in India shall henceforth ensure that it has an Independent State Election Commissioner as mandated under Article 243(4) of Constitution.

### Issues

#### Non Uniform Service Conditions for SECs:

- Article 243K(2) states that the tenure and appointment will be directed as per the law made by the state legislature and thus each SEC is governed by a separate state Act.
- This gives power to states to amend rules unilaterally and even sometimes take ordinance routes to bypass legislative scrutiny like the recent example of Andhra Pradesh SEC

#### Lack of Autonomy

- Although the state election commission on many occasions tried to exercise its duties enshrined in the constitution of India, they struggled to assert their independence.

#### Lack of Safeguard for SEC

- Though the State Election Commissioner shall not be removed from his/her office except in like manner and on the like grounds as a Judge of a High Court (Art 243K(2)), yet it has been diluted on many instances.

### Way forward

#### SC Judgement (Kishan Singh Tomar vs Municipal Corporation of Ahmedabad case)

- Article 243K of the Constitution provides for setting up of SECs, are almost identical to those of Article 324 related to the ECI.

- state governments should abide by orders of the SECs during the conduct of the panchayat and municipal elections, just like they follow the instructions of the EC during Assembly and Parliament polls.

### **Law Commission 255th Report**

- Recommended, to add a new sub-clause to Article 324 of the Constitution to provide for a separate independent and permanent Secretariat for the ECI along the lines of the Lok Sabha/Rajya Sabha Secretariats under Article 98 of the Constitution.
- Such provisions can also be made for the State Election Commissions to ensure autonomy, and free and fair local body election

### **Second Administrative Reforms Commission**

- The State Election Commissioner should be appointed by the Governor on the recommendation of a collegium, comprising the Chief Minister, the Speaker of the State Legislative Assembly and the Leader of Opposition in the Legislative Assembly

### **About State Election commission**

- Under 73rd and 74th constitutional amendment acts, State Election Commissions were created for every state to conduct elections to panchayats and municipalities
- He/She is appointed by the Governor SEC shall be removed from his office in the same manner & ground as a Judge of a High Court
- A judge of a high court can be removed from his office by the President on the recommendation of the parliament

### **Article 243K**

- The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election
- Commission consisting of a State Election Commissioner to be appointed by the Governor.
- Subject to the provisions of any law made by the Legislature of a State the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:
- Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like ground as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.
- The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by clause (1).
- Subject to the provisions of this Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with, elections to the Panchayats.

## 12. Junk Inefficiency (Scrappage policy) Watch 19th March video

- Road Transport and Highways Minister Nitin Gadkari informed the Parliament that the Ministry is introducing a voluntary vehicle fleet modernisation programme, which seeks to create an ecosystem to phase out unfit and polluting vehicles.

### Proposed Vehicle scrapping policy

- Private vehicles be de-registered after 20 years if found unfit or in case of failure to renew registration certificate.
- As a disincentive measure, increased re-registration fees will be applicable for private vehicles 15 years onward from the date of initial registration.
- It is being proposed that all government vehicles may be de-registered and scrapped after 15 years from date of registration.
- The criteria will take into account emission tests, braking and safety equipment, among other tests. A vehicle failing the fitness test may be declared as end-of-life vehicle.
- Policy will offer a rebate of about 5 per cent to buyers on new car purchases in lieu of scrapping of the old.
- The scrap value for the old vehicle will be approximately 4-6 per cent of the ex- showroom price of a new vehicle.
- State governments may be advised to offer a road tax rebate and waive registration fees for the purchase of a new vehicle against the scrapping certificate.
- With a simplified registration process through a single window, the scrapping facility shall have to comply with environmental and pollution norms and with all applicable Acts  
What are the vehicles that would be deregistered?
- Older vehicles pollute 10-12 times more than fit vehicles and pose a risk to road safety. Commercial vehicles can be deregistered after 15 years, if they fail to get a fitness certificate.

### Significance of policy

- Firstly, the policy could provide a major boost to the Indian automobile sector, which is reeling under the adverse impact of the COVID-19 pandemic.
- Secondly, the policy can reduce population caused by older and defective vehicles. it will help in achieving better fuel efficiency, formalising the informal vehicle scrapping industry, and boost the availability of low-cost raw materials for the automotive, steel and electronics industry.
- Finally, it can also improve road and vehicular safety. Challenges & Solution
- Heavy commercial vehicles, which contribute disproportionately to pollution – 1.7 million lack fitness certificates – pose the biggest challenge.
- It will take until April 1, 2022 for vehicles belonging to the government and the public sector to be scrapped, another year thereafter to identify junk heavy commercial vehicles through mandatory fitness checks, and finally other vehicles by 2024, it is a constructive road map

- To put in place a credible system of automated fitness checking centres with help from States to assess whether commercial and private vehicles are roadworthy after 15 and 20 years, respectively, as the policy envisages
- States must also come on board to provide road tax and registration concessions, while the automobile industry is expected to sweeten the deal with genuine discounts on new vehicles
- Limited success of Motor Vehicles Act of 2019 because States are not entirely on board, has the difficult task of ensuring that the scrappage plan gets their support
- The Centre has to arrive at a balance and have incentives that reward manufacturers of vehicles that are the most fuel-efficient.
- Failure to prioritise fuel efficiency and mandate even higher standards and enhance taxes on fuel guzzlers will only repeat the mistakes of vehicle exchange programmes abroad, where full environmental benefits could not be realised, and taxpayers ended up subsidising inefficiency.
- Ecological scrapping, as a concept, must lead to high rates of materials recovery, reduce air pollution, mining and pressure on the environment.

## 13. Rising poverty (Pew report)-22 March video

- Pandemic may have doubled poverty in India, says Pew study

### Key findings

- Number of poor people (\$2 or less/day)
  - ✓ From 2011 to 2019, the number of poor in India was estimated to have reduced to 78 million from 340 million.
- In 2020, the number increased by 75 million.
- Low income group (\$2.01-10/day)
- Majority of India population fall into the low income group.
- LIG shrank from 119.7 crore to 116.2 crore per day, with about 3.5 crore dropping below the poverty line
- Middle Class: (\$10.01-20/day)
  - ✓ Estimated to have shrunk by 3.2 crore in 2020.
  - ✓ Likely to have decreased from almost 10 crore to just 6.6 crore.
- Rich Population (> \$20 /day)
  - ✓ Fell almost 30% to 1.8 crore people. Global scenario
- The global poverty rate also increased
  - ✓ South Asia saw the greatest reduction in the number of middle class and the largest expansion in poverty in 2020.
  - ✓ China's middle class is likely to see a miniscule dip of just one crore, while the number of poor people may have gone up by 10 lakh.

## Analysis

- Varying base years for income/consumption figures – with India's from 2011 and 2016 for China. Still, the study serves as a stark reminder of the economic disparities, both within India and at a comparative level with its northern neighbour.
- The latest report once again spotlights the widening inequality in India, exacerbated by the pandemic, as the lower income populations have disproportionately borne the brunt of job and income losses in the wake of the multiple lockdowns.
- The fiscal policy response to redress this massive increase in precarity has also been underwhelming, especially when viewed from the perspective of the pre-pandemic tax cuts that the government handed to corporates in an attempt to revive private investment and rekindle growth.
- That the National Rural Employment Guarantee scheme has been seeing record levels of demand is testimony to the struggles those in the rural hinterland have been facing in finding gainful employment since the onset of the pandemic.
- With the number of COVID-19 cases once again rising disconcertingly across the country, there is a clear and present danger that not only could any nascent economic recovery be stymied even before it gains traction but that the number of those sliding into poverty could jump dramatically.
- The policy responses to the rising wave of infections could well test the government's 'lives versus livelihoods' playbook to the hilt.

## 14. Iran deal could be rescued by the IAEA

- Iran Nuclear deal (Watch 8 March editorial)

### Nuclear enrichment

- Mined uranium has less than 1 percent of the uranium-235 isotope used in fission reactions, and centrifuges increase that isotope's concentration. Uranium enriched 3-4 % percent is used in nuclear power plants
- 20 percent it can be used in research reactors or for medical purposes.
- High-enriched uranium, at some 90 percent, is used in nuclear weapons

### About IAEA

- The IAEA is the international centre for cooperation in the nuclear/atomic field. It is a UN agency. It works with its member countries and many partners to promote peaceful uses of nuclear technologies.
- Set up as the world's "Atoms for Peace" organization in 1957 within the United Nations family.
- Reports to both the United Nations General Assembly and Security Council.
- Headquarters in Vienna, Austria

### Non-Proliferation Treaty (NPT -1968)

- aimed at limiting the spread of nuclear weapons including three elements:
  - ✓ non-proliferation,

- ✓ disarmament,
- ✓ peaceful use of nuclear energy.

## Nuclear & Non-Nuclear Weapon States

- The Treaty defines nuclear weapon states (NWS) as those that had manufactured and detonated a nuclear explosive device prior to 1 January 1967.
- All the other states are therefore considered non-nuclear weapon states (NNWS). The five nuclear weapon states are China, France, Russia, the United Kingdom, and the United States.

## Nonproliferation

- Nuclear weapon states are not to transfer to any recipient whatsoever nuclear weapons and not to assist, encourage, or induce any NNWS to manufacture nuclear weapons. Non-nuclear weapons states are not to receive nuclear weapons from any transferor, and are not to manufacture or acquire them.
- NNWS must accept the International Atomic Energy Agency (IAEA) safeguards on all nuclear materials on their territories or under their control.

## Disarmament

- All Parties must pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

## NPT

### Peaceful Use

- All state parties undertake to facilitate, and have a right to participate, in the exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy

### Members

- South Sudan, India, Israel, and Pakistan remaining outside the treaty
- North Korea announced January 10, 2003, that it was withdrawing from the treaty, effective the next day. Although Article X of the NPT requires that a country give three months' notice in advance of withdrawing, North Korea argued that it satisfied this requirement because it originally announced its decision to withdraw March 12, 1993, and suspended the decision one day before it was to become legally binding. There is not yet a definitive legal opinion as to whether North Korea is still a party to the NPT.

### About

- Iran's interest in nuclear technology dates to the 1950s, when the Shah of Iran received technical assistance under the U.S. Atoms for Peace program

### Atom for peace

- A U.S. program announced by President Dwight D. Eisenhower at the United Nations on 8 December 1953 to share nuclear materials and technology for peaceful purposes with other countries.

## Increase enrichment

- Negotiations from 2013 and 2015 between Iran and P5+1 (China, France, Germany, Russia, the United Kingdom, the United States, and the European Union, or the EU).

## Iran Nuclear Program and JCPOA

- In 2015, Iran with the P5+1 group of world powers - the USA, UK, France, China, Russia, and Germany agreed on a long-term deal on its nuclear programme.
- The deal was named as Joint Comprehensive Plan of Action (JCPOA) and in common parlance as Iran Nuclear Deal.
- Under the deal, Iran agreed to curb its nuclear activity in return for the lifting of sanctions and access to global trade. Iran
- Iran's uranium stockpile was reduced by 98% to 300kg (660lbs), a figure that must not be exceeded until 2031. It must also keep the stockpile's level of enrichment at 3.67%.
- No enrichment will be permitted at Fordo until 2031, and the underground facility will be converted into a nuclear, physics and technology centre. The 1,044 centrifuges at the site will produce radioisotopes for use in medicine, agriculture, industry and science
- US experts estimated then that if Iran had decided to rush to make a bomb, it would take two to three months until it had enough 90%-enriched uranium to build a nuclear weapon - the so-called "break-out time"
- For the first year after the U.S. withdrawal, Iran's response was muted as the E-3 (France, Germany, the U.K.) and the EU promised to find ways to mitigate the U.S. decision. The E-3's promised relief Instrument in Support of Trade Exchanges (INSTEX), created in 2019 to facilitate limited trade with Iran
- INSTEX-to circumvent U.S. sanctions against trade with Iran by avoiding the use of the dollar.
- However, by May 2019, Iran's strategic patience ran out as the anticipated economic relief from the E-3/EU failed to materialize. As the sanctions began to hurt, Tehran shifted to a strategy of 'maximum resistance'.

## Iran's Policy of 'Maximum Resistance'

- Beginning in May 2019, Iran began to move away from JCPOA's constraints incrementally: exceeding the ceilings of 300kg on low-enriched uranium and 130 MT on heavy-water; raising enrichment levels from 3.67% to 4.5%; stepping up research and development on advanced centrifuges; resuming enrichment at Fordow, and violating limits on the number of centrifuges in use.

## Roadblocks in Restoration of Deal

### Regional Cold War Between Iran & Saudi Arabia

- The traditional Shia vs Sunni conflict precipitated into a regional cold war between Iran & Saudi Arabia.
- Thus, a major challenge for the US to restore the nuclear deal is to maintain peace between the two regional rivals.

## Iran Gone too Far

- The challenge in resuming the agreement in its present form is that Iran is currently in violation of several of its important commitments, such as the limits on stockpiles of enriched uranium.
- The International Atomic Energy Agency noted that Iran now had more than 2,440 kilograms, which is more than eight times the limit set by the 2015 nuclear deal.
- Further, Iran says it wants the US to pay for the billions of dollars in economic losses it incurred when it pulled the United States out of the Iran deal in 2018 and reinstated sanctions that it had lifted.

## Impacts on India For Restoration of JCPOA

- May ease many restrictions over the Iranian regime, which may directly or indirectly help India.
- Boost to Regional Connectivity: Removing sanctions may revive India's interest in the Chabahar option,
  - ✓ This would further help India to neutralize the Chinese presence in Gwadar port, Pakistan.
  - ✓ Revival of International North-South Transit Corridor (INSTC), which runs through Iran, which will improve connectivity with five Central Asian republics, may also get a boost.
- Energy Security: Due to the pressure linked to the US' Countering America's Adversaries Through Sanctions Act (CAATSA), India has to bring down oil imports to zero.
  - ✓ Restoration of ties between the US and Iran will help India to procure cheap Iranian oil and aid in energy security.

## Iran deal could be rescued by the IAEA

- The U.S. tried to pressurise Iran by proposing a resolution in the IAEA Board of Governors (March 1-5) meeting criticising Iranian non-compliance with the JCPOA and its alleged IAEA safeguards violations amidst rumours that Iran might withdraw from the Non-Proliferation Treaty(NPT) and proceed to develop nuclear weapons

## IAEA'S Role

- Monitoring by the IAEA to continue in Iran for three months augured well for a possible IAEA effort in case the JCPOA talks broke down.
- Iranians had also agreed to an early April visit to Iran by an IAEA technical team to discuss outstanding safeguard matters. It was important for the IAEA to pursue its non-proliferation efforts with Iran outside the JCPOA.
- it should be possible to consider a fresh initiative by the IAEA to deal with the issue
- The IAEA is neither the Secretariat of the NPT nor is it empowered to request States to adhere to it.
- It does, however, have formal responsibility in the context of implementing Article III of the Treaty.
- The IAEA's mandate, expertise, and experience also equip it well to assist in the implementation of other Articles.
- At the broadest level, the IAEA provides two service functions under the NPT.



- It facilitates and provides a channel for endeavours aimed at the “further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.”
- Its other major function is to administer international nuclear safeguards, in accordance with Article III of the Treaty, to verify fulfilment of the non-proliferation commitment assumed by non-nuclear-weapon States party to the Treaty.

### **The NPT assigns to the IAEA the responsibility**

- For verifying, at the global level, through its safeguards system, that non-nuclear weapon States fulfil their obligations not to use their peaceful nuclear activities to develop any nuclear explosive devices of any kind

### **Way forward**

- With the experience of the JCPOA, any new arrangement has to ensure that Iran must have sanctions relief, the stockpile of enriched uranium should not exceed the limits established, and there should be iron clad guarantees that Iran will not violate the safeguards agreement.

## **15. The surge of geopolitics in South Asia’s power trade**

- The new rules on power trade by India define the contours of the South Asian electricity market, placing clear limits on who can buy from and sell into India. This has ramifications for the electricity markets of Bangladesh, Bhutan, and Nepal, which, to varying degrees, have aligned their energy futures with the Indian market.
- Rules strongly discourage the participation of plants owned by a company situated in “a third country with whom India shares a land border” and “does not have a bilateral agreement on power sector cooperation with India”.

### **New rules**

- According to the new rules, Power plants owned by a company based in the country, not having a bilateral agreement with India on power sector cooperation, cannot participate.
- The rules place the same security restrictions on tripartite trade.
- The rules establish a surveillance procedure to detect changes in the ownership patterns of entities trading with India

### **Advantage to India**

- India is placed in the middle of south Asian countries. Moreover, India at present is the fourth-largest global energy consumer. It puts India in a dominant position.

### **Issues**

- India’s monopolistic tendency in power will attract displeasure from its neighbours as their economic growth will hurt.
- Also, the prospect of an independent regional body governing electricity trade is unlikely in the near future.
- Impact India’s vision of One Sun One World One Grid (OSOWOG)

- OSOWOG aims to connect West Asia, Southeast Asia, and Africa. An impartial institution is important for making it functional

### Issues

- South Asian lesson, contained in these latest rules tells us that political realities will hamper the vision of borderless trade.

## 16.Remove the wedges in India-Bangladesh ties

- The friendship between India and Bangladesh is historic, evolving over the last 50 years. India's political, diplomatic, military and humanitarian support during Bangladesh's Liberation War played an important role towards Bangladesh's independence

### History of Indo Bangladesh relation

#### Post-Independence

- The India-Bangladesh relationship has oscillated as Bangladesh passed through different regimes. The relationship remained cordial until the assassination of Bangladesh's founding President Sheikh Mujibur Rahman in August 15, 1975, followed by a period of military rule and the rise of General Ziaur Rahman who became President and also assassinated in 1981

#### Relation since 1991

- Since Bangladesh's return to parliamentary democracy in 1991, relations have gone through highs and lows. However, in the last decade, India-Bangladesh relations have warmed up, entering a new era of cooperation, and moving beyond historical and cultural ties to become more assimilated in the areas of trade, connectivity, energy, and defence.

#### Issues in Indo -Bangladesh relation

- Teesta waters issue remains a big problem due to continuous protest by the Mamata Banerjee led West Bengal government.
- National Register of Citizens has left out 1.9 million people in Assam and they are being labelled as illegal immigrants from Bangladesh.
- Bangladesh is overwhelmingly dependent on China for military hardware. China's economic footprint is growing.
- Since the ban by India on cattle export, cattle trade has fallen from 23 lakh in 2013 to 75,000 till the end of May this year.

#### Water

- Water remains another difficult issue. Bangladeshis have observed the tug-of-war on the Teesta water-sharing issue between the Centre and state.
- As rivers run dry and farmers are cut off from their livelihood.
- However, during PM Sheikh Hasina's India tour, an MoU was signed allowing India 1.82 cusecs of water from the Feni River

#### Citizenship & migrants



- India's controversial Citizenship (Amendment) Act (CAA) and National Register of Citizens (NRC) have created a negative impression in Bangladesh of India's intent, which the Bangladesh Prime Minister termed "unnecessary".
- Syed Muazzem Ali, the late Bangladesh high commissioner to India and recipient of the Padma Bhushan, once said, "Bangladeshis are not interested to migrate to India; they would rather go to Italy."
- The CAA excludes Muslims from being granted citizenship as persecuted minorities, while the NRC in Assam excluded 1.9 million people, majority of them Muslims.
- The NRC and CAA can't be brushed aside as "internal matters" when they have ramifications across the border.

## China factor

- The China factor also adds another dimension to the ties.
- Bangladesh is China's second-largest arms export destination. Chinese firms have been outbidding their Indian counterparts in infrastructure projects.
- Bangladesh is deftly navigating relations with its two biggest neighbours in a neighbourhood in flux.
- Nepal is increasingly becoming closer to China; Bhutan has withdrawn from the Bangladesh, Bhutan, India, Nepal (BBIN) initiative, Sri Lanka and the Maldives are playing a balancing act, both rooted in Chinese investments;
- Afghanistan is increasingly under the Taliban's sphere of influence as the US withdraws troops

## Areas of cooperation

### Land boundary agreement 2015

- The Bangladeshi enclaves in India and Indian enclaves in Bangladesh were transferred on July 31, 2015.
- The agreement involved handing over 17,000 acres of land to Bangladesh in return for 7,000 acres in 162 enclaves in West Bengal, Assam, Tripura and Meghalaya.
- LBA settles land boundary dispute which dates back to colonial times as India transfers 111 border enclaves to Bangladesh in exchange for 51 enclaves.
- It also settles the question of citizenship for over 50,000 people in these enclaves

## Issues

### Recent report released by civil rights organisation – Masum

- The condition of the people is far from what they had imagined. They are yet to get land records and nothing has been done for providing them employment Need

- The report calls for a comprehensive survey should be undertaken to identify and assimilate the people whose names have been left out of the headcount previously, and all the benefits of being a citizen in India should be extended to them

## Economic Cooperation

- Bangladesh today is India's biggest trading partner in South Asia with exports to Bangladesh in FY 2018-19 at \$9.21 billion and imports at \$1.04 billion. India has offered duty free access to multiple Bangladeshi products
- On the development front, cooperation has deepened, with India extending three lines of credit to Bangladesh in recent years amounting to \$8 billion for the construction of roads, railways, bridges, and ports

## Need

- Trade could be more balanced if non-tariff barriers from the Indian side could be removed. Tourism
- Bangladeshis make up a large portion of tourists in India, outnumbering all tourists arriving from western Europe in 2017, with one in every five tourists being a Bangladeshi.
- Bangladesh accounts for more than 35% of India's international medical patients and contributes more than 50% of India's revenue from medical tourism.

## The connectivity boost

- Connectivity between the two countries has greatly improved.
- A direct bus service between Kolkata and Agartala runs a route distance of 500 km, as compared to the 1,650 km if it ran through the Chicken's Neck to remain within India.
- Recently, a 1.9 kilometre long bridge, the Maitri Setu, was inaugurated by Prime Minister Narendra Modi, connecting Sabroom in India with Ramgarh in Bangladesh.
- Bangladesh allows the shipment of goods from its Mongla and Chattogram (Chittagong) seaports carried by road, rail, and water ways to Agartala (Tripura) via Akhura; Dawki (Meghalaya) via Tamabil; Sutarkandi (Assam) via Sheola, and Srimantpur (Tripura) via Bibirbazar. This allows landlocked Assam, Meghalaya and Tripura to access open water routes through the Chattogram and Mongla ports

## Keeping the momentum going

- India-Bangladesh relations have been gaining positive momentum over the last decade. As Bangladesh celebrates its 50 years of independence (March 26, 1971), India continues to be one of its most important neighbours and strategic partners.
- As the larger country, the onus is on India to be generous enough to let the water flow and ensure that people are not killed on the border for cattle even if it is illegal when there are appropriate means for justice.
- These small but important steps can remove long-standing snags in a relationship which otherwise is gradually coming of age in 50 years.
- To make the recent gains irreversible, both countries need to continue working on the three Cs – cooperation, collaboration, and consolidation.

## 17.Changes to NCT Act revive power tussle (17 March)

- The Union cabinet earlier this week approved some proposed amendments to the Government of NCT of Delhi Act that sought to give more powers to the Lieutenant Governor, prompting the Arvind Kejriwal-led AAP government to call it “a murder of constitutional democracy”.
- Further It will also give more teeth to the L-G, and the validity of any decision taken as per such discretion shall not be questioned.

### Need

- Promote cooperative federalism between the centre and the state.
- Address the ambiguities in the interpretation of legislative provisions.
- Seeks to give effect to the 2018 judgement and implementing the verdict. Structural Clarity:
- The Ministry of Home Affairs’ statement on “objects and reasons” of the Bill stated that Section 44 of the 1991 Act deals with conduct of business and there is no structural mechanism for effective time-bound implementation of the said section.
- Section 44 of the 1991 Act says that all executive actions of the LG, whether taken on the advice of his Ministers or otherwise shall be expressed to be taken in the name of the LG

GNCTD Act 1991	NCT of Delhi (Amendment) Bill 2021
Section 21- deals with the restrictions on laws passed by the Legislative Assembly concerning certain matters	the term “ <b>government</b> ” referred to in any law made by the Legislative Assembly will imply <b>Lieutenant Governor (L-G)</b> .
The <b>L-G will</b> reserve the bills for the consideration of the President in a <b>few matters</b> .	L-G <b>to reserve bills</b> for the President that <b>incidentally cover any of the matters outside the purview</b> of the powers of the Legislative Assembly.
Legislative Assembly will make <b>rules to regulate the procedure and conduct of business in the Assembly</b> .	such rules must be consistent with the Rules of Procedure and Conduct of Business in the <b>Lok Sabha</b> .
All <b>executive decisions</b> taken by the elected government should be <b>under the L-G’s name</b> .	Empowers the L-G to specify his suggestions on certain matters. His <b>opinions has to be taken before making any executive action</b> on decisions of the Minister/ Council of Ministers.

### Concerns

#### Idea of democracy

- The Delhi assembly at present is examining multiple issues ranging from riots to the environment but bill restricts the Delhi government from inquiring into executive matters. This disregards the ideal of democracy conceived for the NCT of Delhi by Article 239AA of the Constitution.
- Equating the L-G with the government simply undermines the legitimacy of the elected government thereby disrespecting representative democracy.

#### Distort the federal equilibrium

- Excess powers to L-G can also distort the federal equilibrium. The centre can use this bill as a precedent to curtail the powers of other states in the future.

## Spirit of Supreme court Verdict

- The bill goes against the spirit of the 2018 verdict. The provisions such as getting the compulsory opinion from the L-G are against the verdict.

## Others

- The NCT of Delhi (Amendment) Bill if passed would be a huge setback for Delhi's quest for full statehood. As the L-G gets precedence to the Delhi government.
- The bill empowers L-G to specify certain matters on which his opinion must be taken. This can curtail the autonomy that any elected government legitimately requires for governance.

## About Union territory of Delhi

- The Union Territory of Delhi with a Legislative Assembly came into being in 1991 under Article 239AA of the Constitution inserted by 'the Constitution (Sixty-ninth Amendment) Act, 1991

## Article 239AA

- Public Order, Police & Land in NCT of Delhi fall within the domain and control of Central Government which shall have the power to make laws on these matters.
- For remaining matters of State List or Concurrent List, in so far as any such matter is applicable to UTs, the Legislative Assembly shall have power to make laws for NCT of Delhi.
- Further, for Offences against laws, Jurisdiction & powers of Courts (except SC) and Fees (except court fees) so far as they relate to Public Order, Police & Land in NCT of Delhi; Central Government would have power to make laws
- Issues (239 Vs 239AA) Union government
- New Delhi being a Union Territory Article 239 empowers the Lieutenant Governor to act independently of his Council of Ministers.

## Delhi government

- Article 239AA of the Constitution bestows special status to Delhi of having its own legislatively elected government.

## Supreme Court judgment (2018)

- Held that the L-G was bound by the "aid and advice" of the Delhi government and both had to work harmoniously with each other.

## Lack of clarity Article 239AA (4)

- The court did not very clearly delineate the issues in respect of which the LG can refer a decision taken by the Council of Ministers to the President in the event of a difference of opinion between the LG and the State government.

## Interpretation

- In the event of referring any matter to the President, the Court enunciated that LG must adhere to the constitutional principles of collaborative federalism, constitutional balance and the concept of constitutional governance. However, these terms are very wide and open-ended. They are subject to different interpretations.