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# Editorial Discussion & Analysis (EDA)

21st & 22nd July 2021

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### Note -

- The Newspaper clippings pasted in PDF are important from Mains point of view as it contains the fodder material for Mains Answer Writing.
- Also watch DND video lectures everyday @ 4 PM on Sleepy's YouTube channel in order to understand how to get the most out of everyday's Newspaper .

Click [here](#) to watch the following topics on YouTube

# 1. Governance

## 1.1. The Shadow Of Pegasus

- Context- High Stakes For Democracy

### What is Privacy?

- Privacy is not about the wish to hide, as is often asserted.
- It is about having a **space of one's own** where our thoughts and being are not the instrument of someone else's purposes.
- Essential component of dignity and agency.
- Pegasus can be used to access the entire digital imprint of your life

### What are the Institutional Vulnerabilities observed from this Incident?

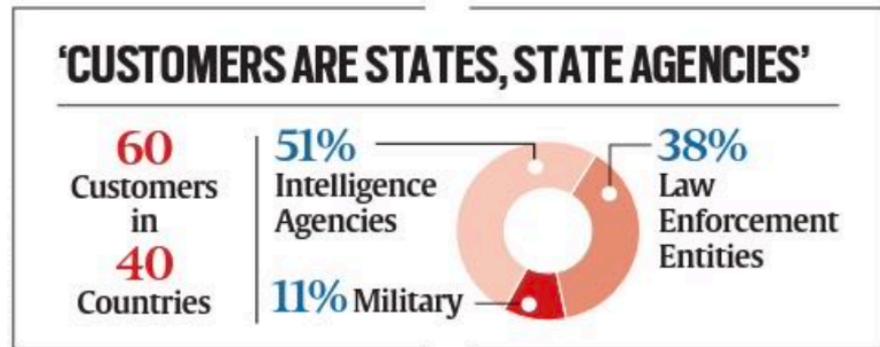
- Supreme Court
  - ✓ Allegation that the phones of the woman who had complained of sexual harassment against a former Chief Justice, was subject to Surveillance is Shocking.
  - ✓ Court will be seen not just as an error-prone institution, but one whose proceedings are possibly impacted by shadowy surveillance.
- Integrity of Democratic Institutions
  - ✓ System in which political opponents and officials of the Election Commission are “allegedly” subject to surveillance will inspire less confidence in the institutional democracy.
  - ✓ Technologies must not hold electoral process to a ransom in future. We must not be complacent in this fact.

### Implications for Democracy?

- The explosive growth of surveillance technology vendors is a global security and human rights problem.
- Even shocking that democratic states like Israel and UK, are selling technologies for deepening the surveillance powers of states.
- Democratic states must come forward and address this issue collectively, thereby formulating efficient regulations.
- Pegasus is not just a surveillance tool. It is a cyber-weapon being unleashed on the Indian polity
- Confirmation of Pegasus “allegation”, if found to be true, would suggest that India is a part of the club of Authoritarian States.
- Ronald Diebert in his Book, *Reset: Reclaiming the Internet For Civil Society*, mentions that “ Indian Police and Security Agencies are heavy users and abusers of NSO's spyware”

## Way Forward

- Citizen lab has observed that widespread use of NSO in India has been around since 2019.
- Government must come clean on its own use of NSO, or its knowledge of how Pegasus got onto the phones of prominent Indians.



- Violation of our rights and the diminishing of our security with respect to surveillance by the state, must be resolved by restoring the credibility and strength of our Strong Institutions.
- Supreme Court could force the government to come clean on the narrow issue of the use of Pegasus in India, or the existence of NSO contracts

## 1.2.Pegasus is India's Watergate Moment

### Context – Conflict between National Security and Liberty of Common Citizens

- “If this government ever became a tyranny, if a dictator ever took charge in this country, the technological capacity that the intelligence community has given the government could enable it to impose total tyranny” Senator Frank Church on the Watergate Scandal, 1972-74

### What is the relationship between National Security and Liberty of an Individual?

- One cannot enjoy the liberties provided under the Constitution without national security.
- However we must equally remember that national security is not meaningful if it comes at the cost of the very liberties such security is supposed to allow us to enjoy.

### What are the Imperils of uncontrolled Surveillance?

- Excessive and unaccountable surveillance imperils privacy, freedom of thought and speech.
- This can shatter the bedrock of the rule of law upon which a constitutional liberal democracy is built.
- The legitimacy of prosecutions for terrorism, organized crime, espionage, from such surveillance must be asked from the government.
- Often surveillance powers are misused for personal and political gains.

### What are the Laws authorising Surveillance?

- Laws authorising interception and monitoring of communications are Section 92 of the CrPC (for call records, etc)
- Rule 419A of the Telegraph Rules
- Rules under Sections 69 and 69B of the IT Act.

### Is there any clarity amongst intelligence and security agencies?

- Intelligence Organizations Act (1985), which restricts the civil liberties of intelligence agency employees, only lists four agencies. (IB, R&AW, NTRO, Director General Security)

- RTI Act lists 22 agencies as “intelligence and security organisations established by the central government” that are exempt from the RTI Act

### **Suggestions for Intelligence Reforms**

- In 2010, then Vice-President Hamid Ansari called for a legislative basis for India’s agencies, and the creation of a standing committee of Parliament on intelligence to ensure that they remain accountable and respectful of civil liberties.
- In 2013, Institute for Defense and Strategic Analysis, suggested to provide the intelligence agencies a legal framework for their existence and functioning
- In 2018, the Srikrishna Committee on data protection noted that post the K.S. Puttaswamy judgment, most of India’s intelligence agencies are “potentially unconstitutional”, as they are not constituted under a statute passed by Parliament.

### **K.S Puttaswamy Judgement (2017)- Test for Invading Privacy**

- The restriction must be by law
- It must be necessary (only if other means are not available) and proportionate (only as much as needed)
- Must promote a legitimate state interest (e.g., national security)

## **1.3.A Cardinal Omission in Covid- 19 Package**

### **Context- Insufficient Focus on Human Infrastructure**

- In the 1980s, there were a number of government health-care facilities across the country, with newly constructed buildings, impeccable linoleum floorings, imported state-of-the-art medical equipment.
- These facilities had benefited from generous financial and commodity assistance as part of the overseas development assistance (ODA) from many well-intentioned international donors.
- While infrastructure was upgraded, there was perennial shortage of health staff, i.e., doctors, nurses and others, which was supposed to be recruited by the government.
- COVID-19 Pandemic highlighted the scarcity of efficient “Human Infrastructure”.

### **What does the Centre’s financial Package addresses?**

- Plan to increase COVID-19 beds, improve the oxygen availability and supply
- Create buffer stocks of essential medicines; purchase equipment and strengthen pediatric bed.
- Package barely has any attention on improving the availability of health human resources.

### **Human Resource crunch Before the Pandemic**

- There are vacancies for staff in government health facilities, which range from 30% to 80%, depending upon the sub-group of medical officer.
- Widespread inter state variations. States that have poor health indicators with the highest vacancies.

## Concerns

- An intensive care unit bed or ventilator is no use unless there are trained staff to run these equipment and qualified doctors and nurses to attend to patients
- Need of the Hour is to fill the existing vacancies of health staff at all levels.
- States and Union Government must come up with another financial package for human resources to complement COVID 19 Health Package- 2

## Way Forward

- Pandemic should be used as an opportunity to prepare India's health system for the future.
- New Health Minister should take review of actions taken on the key decisions and Government promises made since onset of Pandemic in 2020.
- A regular review to be taken up by Central Council of Health and Family Welfare, of which the Health Ministers of the States are member.
- If the past policy promises and commitments are followed through and implemented then India's health system could be strengthened.

## India Covid-19 Emergency Response and Health System Preparedness Package: Phase II

- Announced on July 8 2021, Rs 23,123 crore package to boost the emergency health infrastructure in the states to tackle Covid-19.
- implemented by the Centre and states from July this year to March 2022.
- Share of the Centre and states at ₹15,000 crore and ₹8,123 crore, respectively

## 2. International Relation

### 2.1. Time for a Green Stimulus

**Context- Economic Stimulus to address Green Power, Jobs and Pollution**

#### **How can the Rice stubble be utilised post harvesting?**

- Procure all the crop waste at a remunerative price
- The waste can be converted into briquettes, which can be substituted for coal in thermal power stations.
- The crop waste can be given for conversion into briquettes to private entrepreneurs
- Thereby this would create demand for the conversion equipment, labour and transport.

#### **What is Briquette?**

- **Briquette** is a compressed block of coal dust or other combustible biomass
- material used for fuel and kindling to start a fire.

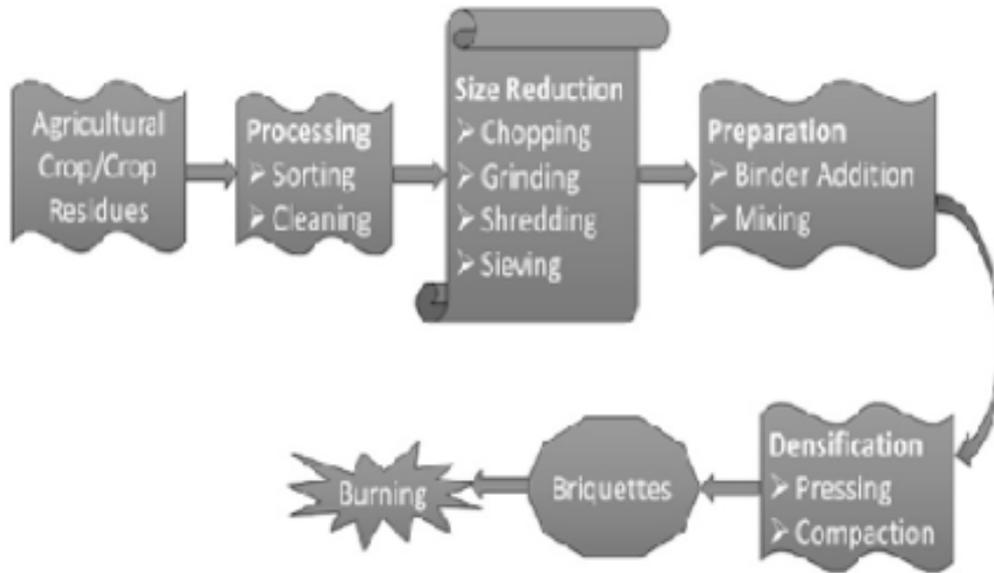
#### **How can Electric Mobility be utilised?**

- Electric vehicles (cars, three and two-wheelers) are available in the market. They do not cause air pollution.
- They are Cheaper to run.
- Demand is not rising because of the lack of charging infrastructure.
- Need to Ensure charging infrastructure on roads as well as in residential and office complexes is created, increasing demand for EV's.
- The purchase of electric buses for city bus services may also be fully financed through government guaranteed debt.
- Apart from demand creation, this would also lead to improved air quality as well.

#### **What are some other measures to promote renewable energy?**

- Need to have a national policy guidance for the states to get electricity distribution companies to announce a remunerative price (feed-in tariff) at which they would buy solar power in the kw range from the rural areas.
- Solar power generated in a village would make it much easier to provide electricity in the day to farmers for irrigation.
- If generating 1 MW from a village is realistic, with 6 lakh villages, there is a potential of 600 GW capacity creation.
- Now since most of the rural households have access to LPG cylinder, cow dung is no longer required for cooking.
- Cow dung can be converted into useful commercial energy which can help in generating electricity. (Bios Gas plants)

- India has shown admirable ambition in going well beyond its commitment under the Paris agreement to aim for 450 GW of renewable energy capacity by 2030



## 3. International Relation

### 3.1. India Must Directly Engage with Taliban 2.0

Context- Strategic Necessity over Strategic Patience

**Why is New Delhi withdrawing from Afghanistan and is it wise to withdraw?**

- New Delhi realizes the threat Taliban poses to Indian assets and presence in Afghanistan.
- This also shows that their decision to bet on the Civilian Government was a wrong decision.
- India's Afghan policy is at a major crossroads because
  - ✓ On one hand it has to safeguard its civilian assets there.
  - ✓ On the other hand they need to stay relevant in unfolding of the 'great game' in and around Afghanistan.

**Strategic Necessity**

- India must, in its own national interest, begin 'open talks' with the Taliban before it is too late.
- With over a third of Afghanistan's more than 400 districts under Taliban control, the talk-to-the-Taliban-option is indeed the best of the many less than perfect options.
- Safeguard Indian interests in a rapidly shifting Afghan geopolitical landscape.
- Dialogue with the Taliban should no longer be a taboo, **it is a strategic necessity**

**What could be the reasons for lesser engagement?**

- Engage the Taliban directly, could make Afghanistan President Ashraf Ghani, thus far India's trusted partner, uneasy.
- Decision makers in New Delhi are also faced with the dilemma of who to talk to within the Taliban given that it is hardly a monolith.
- Taliban faced in its earlier avatar and the lack of evidence about whether the outfit is a changed lot today. No clarity of Taliban's real intentions.
- Possibility of Pakistan acting out against India in Kashmir if India were to establish deeper links with the Taliban.

**What should be our strategy in statecraft?**

- Making peace with the fait accompli is not always a bad thing in absence of better alternatives.
- Taliban today is looking for regional and global partners for recognition and legitimacy especially in the neighbourhood (To keep Pakistan at a distance)
- Taliban 2.0 would develop its own agency and sovereign claims including perhaps calling into question the legitimacy of the Durand Line separating Pakistan and Afghanistan.
- Makes neither strategic nor economic sense to withdraw from Afghanistan after spending over \$3 billion.

- If India is not proactive in Afghanistan at least now, late as it is, Russia, Iran, Pakistan and China will emerge as the shapers of Afghanistan's destiny.

## Conclusion

- Except for the strategic foray into the Indo-Pacific, India today is strategically boxed in the region and it must break out of it.
- In an ideal world, the Taliban, given its bloody past, should not have been anywhere near governing Afghanistan.
- But International politics are more "Realistic". Certainly, neither the world nor the situation seems to be Ideal.
- However engagement of the Taliban is neither tolerating nor accepting the ghastly crimes Taliban has committed in the past.

## 4. Socio-Economic Issues

### 4.1. Looking out for the Vulnerable

#### Context- Supreme Court order on registration of migrant workers is welcome

- This order will go down in history as a radical judgment to reduce human suffering in the wake of the Covid-19 pandemic.
- The Order explicitly recognises the critical contribution of migrant workers to the economy, even though they are often employed in precarious jobs
- Workers in the unorganised sector need to be able to access numerous welfare schemes in existence.
- **Main barrier preventing access is the delay in registering workers on the national database of the Ministry of Labour and Employment**

#### Why is this a welcome step by the Supreme Court?

- The progressive boldness of the SC orders inspires confidence in India's original socialist agenda. It shows that highest court is still looking out for the most vulnerable sections of society
- Tasks set out in the order challenge entrenched patterns of labour recruitment and employment that have taken root in the current neoliberal context.

#### What are the roadblocks often faced by migrant labours?

- Control over workers belonging to marginalised communities is exercised through class, caste and gender hierarchies.
- Variety of problems with registration ranging from digital illiteracy, corruption. Bureaucratic inefficiency and the requirement of multiple documents.
- Exclusion was worse among the lower castes who were not treated with dignity by state functionaries.
- Numerous barriers within the labour department, including a lack of guidelines on procedures related to registration.

#### What did Justice Ashok Bhushan stated?

- Justice Bhushan lamented the lack of progress on this front and directed strong words at the Ministry of Labour for its "apathy and lackadaisical attitude" in registering workers following a previous order in August 2018.
- None of the schemes for Migrant workers will be effective without the registration of migrant and unorganised sector workers.
- Fundamental reality that labour departments are seriously short of staff and capacity to carry out the Supreme Court order

#### Conclusion

- The SC order of June 2021 says that the lack of documentation cannot be used as an excuse by the state to abdicate its responsibility, especially during the pandemic.
- Long-term goal is to get all migrant workers registered so that access to welfare schemes happens the way it is meant to.