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STATE OF SCHOOL EDUCATION IN INDIA

Context

- The Annual State of Education Report (ASER by Pratham) released recently gives the overall trends in education in India in addition to the lacunas in the education system.
- National Education Policy has also stirred a debate about the direction that education in India needs to take.

Problems faced by the Indian school system

- India's spending on education as a percentage of GDP is 3.8% as per World Bank. This is inadequate to meet the educational needs of the largest school-going population in the world.
- The quality of teachers is also a serious concern. India also lacks high-quality Teacher-training infrastructure.
- Teacher absenteeism is also a chronic problem that affects education in India.
- Even though many schemes regarding the improvement of school infrastructure are being implemented, it is still inadequate.
- The Right to Education (RTE) Act has improved enrolment in many places. But the quality of education is still a concern.
- Mid-day meal scheme is being implemented across the country to improve student retention. But the quality of meals served has been a cause for constant concern.

ASER Report - Major findings

- The proportion of children (ages 6-14) who are not enrolled in school has fallen below 3% for the first time and stands at 2.8% in 2018.
- The overall proportion of girls in the 11 to 14 age group out of school has fallen to 4.1%. This figure is more than 5% in only 4 states.
- Further, ten years ago in 2008, nationally, more than 20% of girls in the 15 to 16 age group were not enrolled in school. In 2018, this figure has decreased to 13.5%. The difference between the number of girls and boys enrolled in schools has also come down.
- The percentage of children (age 6-14) enrolled in private school was 30.6% in 2016 and is almost unchanged at 30.9% in 2018. Additionally, there has been a decrease in private school enrolment in many states.
- Nationally, in 2018, 4 out of 10 government primary schools visited had less than 60 students enrolled. This number has increased every year over the last decade. It was 26.1% in 2009, 30% in 2011, 33.1% in 2013, 39.8% in 2016, and stands at 43.3% in 2018.
- At the all India level, no major change is seen in students' and teachers' attendance. Nationally, substantial improvements are visible over this 8-year period (2010-2018) in the availability of many school facilities mandated by RTE. The fraction of schools with usable girls' toilets doubled, reaching 66.4% in 2018. The proportion of schools with boundary walls increased by 13.4 percentage points, standing at 64.4% in 2018. The percentage of schools with a kitchen shed increased from 82.1% to 91%, and the proportion of schools with books other than textbooks available increased from 62.6% to 74.2% over the same period. However, stark differences exist between states.
- Slightly more than half (50.3%) of all children enrolled in Std V can read at least a Std II level text.
- Even though many states have shown improvement in the arithmetic skills of students, the overall national metric has not shown a significant rise.
- For the age group 14 to 16, the all India figure for the proportion of girls who can read at least an Std II level text is very similar to that of boys.
- In basic arithmetic, boys seem to hold a substantial advantage. Nationally, 50% of all boys in the age group 14 to 16 can correctly solve a division problem as compared to 44% of all girls.

- There is an increase in enrolments in private schools. Students of private schools fare relatively better in performance. However, this is a relative phenomenon and in absolute terms students of private schools also face the same learning challenges as in public schools.

Way Forward

- Government spending on education as a whole (not just school education) should be increased to at least 6 percent of GDP by 2022 from the present 3%. According to the World Bank, the world average is 4.7%.
- State governments should develop and formulate robust mechanisms to enforce regulations on teacher qualifications, teacher absenteeism, and learning outcomes.
- Small schools, especially in sparsely populated regions must be given transport facilities
- Greater emphasis should be put on continuous and comprehensive evaluation (CCE) to achieve the defined learning outcome. Remedial classes, if and when necessary, should be put in place in a timely and effective manner.
- Flexibility in education - Courses with fixed credits must be introduced with a set minimum credits to be earned to appear for the final examination. This will encourage students to learn subjects based on their interests.
- Students with an advanced aptitude in certain subjects must be mentored separately to nurture their talent.
- Design guidelines for states to implement vocational education at the school level. Additionally, the syllabus of vocational education must be updated regularly after consultations with all stakeholders.
- Life skills, including coping with failure/crises and stress management, should be included as part of the school curriculum. Easy and safe access to mental health support should be strengthened.

Draft National Education Policy, 2019

Key observations and recommendations of the draft Policy include:

1. Early Childhood Care and Education: the draft Policy recommends developing a two-part curriculum for early childhood care and education. This will consist of: (i) guidelines for up to three-year-old children (for parents and teachers), and (ii) educational framework for three to eight-year-old children. This would be implemented by improving and expanding the anganwadi system and co-locating anganwadis with primary schools.
2. The Right to Education Act, 2009 (RTE Act): It recommends extending the ambit of the RTE Act to include early childhood education and secondary school education.
3. Curriculum framework: The current structure of school education must be restructured on the basis of the development needs of students. It recommends that the curriculum load in each subject should be reduced to its essential core content. This would make space for holistic, discussion and analysis-based learning.
4. Teacher management: For teacher training, the existing B.Ed. programme will be replaced by a four-year integrated B.Ed. program that combines high-quality content, pedagogy, and practical training. An integrated continuous professional development will also be developed for all subjects. Teachers will be required to complete a minimum of 50 hours of continuous professional development training every year.
5. The draft Policy recommends establishing a National Research Foundation, an autonomous body, for funding, mentoring and building the capacity for quality research in India.
6. Education Governance: It recommends creation of a National Education Commission or Rashtriya Shiksha Aayog, as an apex body for education, to be headed by the Prime Minister. This body will be responsible for developing, implementing, evaluating, and revising the vision of education in the country on a continuous and sustained basis. It will oversee the implementation and functioning of several bodies.
7. Vocational Education: It recommends integrating vocational educational programmes in all educational institutions (schools, colleges and universities) in a phased manner over a period of 10 years.

8. Education and Indian Languages: it recommended that the medium of instruction must either be the home language/mother tongue/local language till grade five, and preferable till grade eight, wherever possible. The draft Policy recommended that this three language formula be continued and flexibility in the implementation of the formula should be provided.

Context

- Recent Supreme court order to evict lakhs of tribal who failed to prove that they are forest dwellers.
- Draft amendment to the existing Indian Forest Act, 1927 that proposes far-reaching powers to the state vis-a-vis the forest dwellers.

Background

- Supreme Court recently issued an order asking the states to evict lakhs of tribal whose claims as forest dwellers have been rejected under the Forest Rights Act of 2006
- The order was the result of a petition filed by Wildlife First, along with the Nature Conservation Society and Tiger Research and Conservation Trust. They are NGOs active in the sphere of wildlife conservation.
- The court stayed its own order later and decided to examine whether due process was followed by the gram sabhas and the States under the Forest Rights Act before the claims were rejected.
- However, this approach to conservation has put the lives of tribal and conservation efforts in limbo

Proposed amendments to the Indian Forest Act, 1927

- The amendments shift the focus of forest related issues from mere transportation or taxation of forest produce and widens its scope to include “**conservation, enrichment and sustainable management of forest resources**” and “provision of ecosystem services in perpetuity”
- The amendment also aims to “address the concerns related to climate change and international commitments.”
- It also aims to “strengthen and support the forest based traditional knowledge with peoples’ participation
- The amendment also introduces a new category of forests called production forest which will be used as a source for timber, pulpwood etc.
- Strict regulations have been proposed to curb construction of sheds and other structures, fragmentation of land for cultivation or any other purpose, and burning any fire in such manner as to endanger or damage such forest land.
- Regulations also aim to grant patta or occupancy rights only in accordance with the recognition, restoration and vesting of Forest Rights, under “The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- The amendment increases the role of states by stating that if the state government, after consultation with the central government, feels that the rights under The Forest Rights Act will hamper conservation efforts, then the state “may commute such rights by paying such persons a sum of money in lieu thereof, or grant of land, or in such other manner as it thinks fit, to maintain the social organisation of the forest dwelling communities or alternatively set out some other forest tract of sufficient extent, and in a locality reasonably convenient, for the purpose of such forest dwellers”.

Issues

- Present problem has been made more complicated by the fact that many tribal who have been living in the forest for generations do not have the necessary paperwork to prove that they have been living there.
- The rejection of claims have also been arbitrary without proper research or background check
- There has been a theory in prevalence since the passage of the Forest Rights Act that such legislations accelerate deforestation.
- However, empirical data, including research by Tata Institution of Social Sciences have shown that community participation boost conservation efforts.

- Research also shows that an exclusionary approach to conservation makes conservation efforts unsustainable
- Amendments to the colonial era Indian Forest Act is also drawing a lot of criticism
- It empowers the forest officials to use firearms and cause injury to prevent any “violation”.
- It also makes statements made to any forest officer admissible as evidence in a court of law. This is a provision that is used only in extreme cases like terrorism. Its use in forest administration where forest officers already enjoy wide powers is problematic. There is a huge scope for misuse
- The amendments also empower the officer to seize property in relation to any case.
- The forest department will also have the right to impose a cess on forest produce, which is over and above the tax imposed by state governments. This is in contravention to FRA, which says that minor forest produce used by forest dwellers cannot be taxed.
- The Forest Rights Act had democratised the issue of Forest, land, ownership of forest produce, etc. and considerable devolution of powers to the gram sabhas had also taken place. Many provisions of these amendments might reverse this situation
- There is also concern that inviting private parties to maintain forests might give them a perverse incentive to invest in timber cultivation which might adversely affect the fragile ecological balance of the forest area

NUTRITION AND INDIA

Context

- India has a dismal track record when it comes to health and nutrition indicators
- Initiatives like POSHAN abhiyan to tackle this social issue have been gaining traction

Background

- According to National Family Health Survey-4 (NFHS-4), 2015-16, over one-third of all under-five children are stunted (low height-for-age), every fifth child is wasted (low weight-for-height), and more than 50 per cent of the children are anaemic.
- On the flipside, nearly one fifth of India's adults are either obese or overweight as per NFHS-4 data, leading to an increased risk of diabetes and cardiovascular disorders.
- Among adults, 23% of women and 20% of men are considered undernourished in India. On the other hand, 21% of women and 19% of men are overweight or obese. The simultaneous occurrence of over nutrition and under-nutrition indicates that adults in India are suffering from a dual burden of malnutrition (abnormal thinness and obesity).
- According to UNICEF, India was at the 10th spot among countries with the highest number of underweight children, and at the 17th spot for the highest number of stunted children in the world.
- According to Global Nutrition Report India has almost one-third (31%) of the world's stunted children. India tops this list of countries.

Major causes of Malnutrition

- Malnutrition is caused by a set of complex factors that are rooted in our socio-cultural milieu. Such factors include access to clean drinking water, sanitation, female literacy etc.
- Caste, social status etc also play a significant role in determining the level of malnutrition.
- Our diet is mostly cereal driven. Lack of a balanced diet also causes undernutrition or malnutrition.
- Inefficient PDS system, lack of awareness about nutritional requirements, lack of area-wise nutritional plan based on local geography and culture, lack of convergence among various existing schemes etc are other reasons for the prevalence of malnutrition.

National Nutrition strategy

- The Strategy aims to reduce all forms of malnutrition by 2030, with a focus on the most vulnerable and critical age groups.
- The strategy envisions a decentralised approach which will promote greater flexibility and decision making at the state, district and local levels.
- Further, the Strategy aims to strengthen the ownership of Panchayati Raj institutions and urban local bodies over nutrition initiatives.
- The strategy also envisions a holistic approach that ties together supplementary nutrition during pregnancy and lactation, promotion of breastfeeding, bi-annual vitamin A supplements for children in the age group of 9 months to 5 years, micro-nutrient supplements and bi-annual deworming for children etc.
- Governance reforms envisaged in the Strategy include: (i) convergence of state and district implementation plans for ICDS, NHM and Swachh Bharat.

Poshan Abhiyan

- The Mission is aimed at improving the nutritional status of Children from 0-6 years, Adolescent Girls, Pregnant Women and Lactating Mothers
- It aims to reduce stunting from 38.4% as mentioned in the NFHS-4 to 25% by 2022
- The key intervention in this scheme is the use of ICT tools by Anganwadi workers for easy monitoring and swift implementation of the scheme.

- It ensures convergence with various programmes i.e., Anganwadi Services, Pradhan Mantri Matru Vandana Yojana (PMMVY), Scheme for Adolescent Girls (SAG) of MWCD Janani Suraksha Yojana (JSY), National Health Mission (NHM), Swachh-Bharat Mission, Public Distribution System (PDS), Department Food & Public Distribution, Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) and Ministry of Drinking Water & Sanitation.

Way Forward

- Improved training should be given to Auxiliary Nurse Midwife (ANM) & ASHA workers along with Anganwadi workers.
- Farmers must be given adequate knowledge about diverse and nutritious crops that can be grown in addition to traditional crops like cereals.
- Mid-day meals must be designed based on local culture and geography and greater flexibility must be given to states to design interventions based on regional conditions
- Develop and implement Annual Integrated Health, Nutrition and Swachh Bharat Mission (SBM) action plans for all districts under the POSHAN Abhiyan.
- Ensure that nutritional food varieties like millets and food items like fortified wheat flour etc are available through PDS.
- The Food and Agriculture Organization of the United Nations estimates that if women farmers had the same resources as men, it would have led to 150 million fewer hungry people. Therefore, promoting the welfare of women farmers is also imperative in our fight for nutritional security.
- Ensuring that nutrition, food safety, and the importance of a healthy and diverse diet are taught as a compulsory topic in schools.

CHALLENGES OF MIGRATION

Context

- Rising migration due to natural disasters, ethnic violence or employment
- There is a rise in violence against migrants accelerated by social media
 - ✓ India has a large rural-to-rural migration. A major part of this is female migration after marriage.
 - ✓ The number of rural to urban migration is about 14 crore but unofficial figures put it much higher. Even 2017 Economic survey shows that the migrant population in the country is 139 million.
 - ✓ Increasing intensity of natural disasters like floods, drought, cyclones etc and distress migration due to the rural agrarian crisis has also increased the number of migrants in India.
 - ✓ In cases of distress migration and migration into urban slums, the migrants become more vulnerable due to lack of negotiating power with the potential employers, lack of social capital or lack of political organization and clout.

Issues

- In urban areas, migrants are forced to live in ghettos with no access to amenities like clean drinking water, electricity, safe houses etc.
- They form groups in public places or markets waiting to be recruited as manual labourers.
- This makes them vulnerable to exploitation, which includes physical assaults, lack of a fair wage etc.
- Even though the cheap labour provided by them keeps the prices of commodities and services low, they are often portrayed as anti-social elements and face significant discrimination from other sections of the society. The slums/ghettos where they are forced to live are routinely pictured as “crime infested” and they are harassed by law enforcement authorities.
- Because of the unstable nature of their jobs and residence, they are frequently declared illegal residents and are evicted or arrested.
- Social media has added to their misery. Migrants are often portrayed as criminals and this barrage of social media messages escalates into targeted violence against them. For example, a migrant allegedly raped a minor girl in Gujarat. Even though the accused was arrested the same day, there were attacks against migrant workers on a continuous basis. This was fuelled by incessant fear-mongering and spread of hateful messages on social media.
- Similar fake messages also triggered a mass exodus of labourers from North-east in Bangalore as well.
- An increase in extreme climate events also triggers mass migration. These migrants are at an added disadvantage because in most cases they have lost their relevant documents and any capital/asset that could facilitate an easy translocation.
- Another factor that contributes to an upward trend in internal migration is rural distress.

Way forward

- There is a public perception that public funds are only for the “legitimate residents” of an area. Political class engaged in narrow ‘vote bank’ politics also tend to overlook the genuine concern of migrants.
- These issues have to be tackled through long term awareness campaigns.
- Literacy campaigns specifically targeting migrant population also needs to be implemented. The “Changathi” campaign by Kerala government can be used as a model.
- Every major city has to start a specific budget just for the development of migrant population. Central government also has to look at distress migration as a disaster-related issue and allocate necessary funds for the same.

- Smart city campaign needs to address the issue of large scale affordable and safe housing for migrants.
- Law enforcement agencies need to sensitise to the special needs of this vulnerable section. They also need to evolve special strategies to curb hate speech in social media.

MENSTRUATION - A TABOO IN INDIA

Context

- Low awareness about menstrual hygiene and the continued association of menstruation with “pollution-purity”.
- The Sabarimala judgement also reignited the debate about menstruation and purity.
- Menstrual Hygiene Day is observed every year on May 28.

Issues

- Recent studies showed that awareness about menarche (onset of menstruation) is very low.
- Even the discussion about the topic is considered a taboo.
- There is a high level of stigma regarding menstruating women. Women are not allowed to enter kitchens while they are on their periods. They are also not allowed to eat along with their families or travel outside the house.
- Many women lack awareness about sanitary products and use unhygienic clothes during their periods. This causes rashes, various infections, and even cervical cancer.
- As per health ministry data, only 12% of India’s 355 million women use sanitary napkins. Over 88% of women resort to alternatives such as un-sanitized cloth, ashes and husk sand.
- Women are unable to go out for work during their periods due to superstitions associated with menstruation. This reduces the wages they receive which in turn hurts their financial independence.
- Sanitary napkins are not easily available, especially in the rural areas and since there is a level of secrecy supposed to be maintained about it, its unavailability never becomes a topic of debate.
- Most of the female hygiene products are also costly and women from Economically Weaker Sections (EWS) or Low Income Groups (LIG) are unable to afford them regularly.
- In short, the three A’s - Awareness, Accessibility and Affordability are major factors affecting this issue.

Way Ahead

- Menstrual hygiene campaign like ‘Chuppi todo, Sayani Bano’ of Rajasthan must be replicated across the country.
- Suvidha and Ujjawala schemes have been launched by the government to provide affordable sanitary pads.
- Methods popularised by the “pad man of India” Arunachalam Muruganantham must be scaled up so that affordable sanitary pads are available in all schools, offices and other public buildings.
- There is an emerging concern regarding the non-biodegradable nature of sanitary pads. Awareness must be spread about more eco-friendly alternatives like menstrual cups.
- The media has to stop tip-toeing around the topic. The advertisements for sanitary pads still show blue gel. The media ecosystem must embrace the colour red, for what it stands for. Only when mass media shows maturity can we expect sober discussions regarding menstrual and reproductive health to percolate to other sections of the society
- A sustained campaign by respectable cultural leaders (poets, actors, film stars) about the need for an open dialogue about this topic is imperative. Only then will the society shed its taboo around the subject of menstruation.
- It has been revealed in studies that apart from inadequate physical infrastructure bullying from boys also prevents school girls from adopting hygienic practices. Therefore, men must be made allies in the campaign to spread awareness.

NEED FOR AN ANTI-SUPERSTITION AND BLACK MAGIC ACT

Context

- Murder of anti-superstition activists Narendra Dhabolkar and Govind Pansare
- Prevalence of fake seers and quacks exploiting gullible people are on the rise

Issues

- In many places in the country, people stay indoors during the solar eclipse as it is considered inauspicious.
- There are many such beliefs regarding black cats, ladders etc that are unscientific and irrational.
- Beliefs that demonize and dehumanize a group of people based on their appearance, color of their skin etc are far more insidious and dangerous.
- We must be cautious against all superstitious beliefs irrespective of the risks that a particular superstitious belief carries.
- This is because it goes against our duty to promote scientific temper (mentioned in Article 51A(h) in The Constitution Of India “ to develop the scientific temper, humanism and the spirit of inquiry and reform”)
- It also makes the individual vulnerable to other dangerous ideas like anti-vaccine propaganda, rumours against vulnerable sections like minorities etc
- It also makes people more prone to the effect of fake news thereby impacting the free flow of genuine and verifiable information
- It is also a matter of great concern that the IPC does not have any specific provisions to tackle this menace

Way Forward

- Recently Maharashtra government passed the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013. Similar laws must be passed at the national level by making relevant changes to the IPC.
- In case of fake doctors and quacks / Faith healers in case of injury of the patient due to unscientific treatment, provisions must be made to charge him/her for medical negligence or manslaughter in case of the patient's death.
- Special courses that teach rationalism, critical thinking, tools to identify fake news, etc must be introduced in all schools and colleges. For example, “Satyameva Jayate” scheme by Kannur district administration.
- Tackling superstition through legislations is only half the battle. There is a need to educate the masses using mass media, street plays, social media campaigns. Our conventional education system also must be equipped to tackle the scourge of superstition.

ANTI-IMMUNIZATION PROPAGANDA

Context

- Facebook recently launched a massive drive against groups who are critical of vaccinations, popularly known as anti-vaxxers.
- Rising spread of anti-vaccine misinformation after cases of Vaccine derived Polio were detected in India.

Background

- Vaccinations have played a critical role in bringing down mortality both among children and adults.
- Pulse Polio mission helped India eradicate Polio. World over, smallpox, measles etc were eradicated with the help of similar concerted efforts.
- Vaccines, in economic theory, carry a network effect. This means that the benefit of taking vaccines is not just limited to the people who take the vaccine. It also spreads to others as well.
- However, there are a group of small yet potent sceptics who actively spread false information about vaccination.
- William Tebb was a British anti-vaccine activist whose works were popularised in the U.S. Though his works were debunked his anti-vaccine propaganda survived and spread across the globe. This is the origin of the modern anti-vaxxer movement.
- Social media has accelerated the spread of such anti-vaxxer news.
- This has led to the resurgence of diseases like measles, in many parts of U.S and Europe, which were once thought to be under control/ eradicated.
- The danger of anti-vaccine propaganda is magnified by the shrinking of boundaries and increased movement of people across continents.

Issues

- Even in India there are superstitions about vaccines that are prevalent which puts Public Health under grave risk.
- For example, Jacob Vadakkanchery, a man who calls himself a naturopath routinely spreads a lot of misinformation regarding vaccines.
- “Herd immunity” ensures that even if a few people are unvaccinated they are also protected from a particular communicable disease. Herd immunity is the resistance to the spread of a contagious disease within a population that results if a sufficiently high proportion of individuals are immune to the disease, especially through vaccination.
- However, repeated misinformation risks the lowering of herd immunity and might cause spread of diseases that we fought hard to cure and contain.
- The cases of paralysis due to Vaccine-derived Polio virus (VDPV) are rare as the virus has to circulate for a long time in the community of under-immunised population before it can infect and cause paralysis in someone. However, these isolated incidents also fuelled anti-vaccine campaign movement in India.

Action taken and Way Forward

- Vaccines have been made compulsory for school admission in Kerala. Similar demands are rising in other parts of the country as well and should be made a permanent feature using appropriate legislation.
- In 2019, Facebook announced that it would “reduce the ranking of groups and Pages that spread misinformation about vaccinations” and “reject ads” that include misinformation about vaccinations.
- As a part of its resolve to eliminate measles and control rubella/congenital rubella syndrome (CRS) by 2020, Indian government has undertaken a massive campaign promoting vaccinations. Indian government made efforts to create awareness about the value of vaccines and managing

misinformation, particularly on social media. Regular briefings have been conducted where WHO-NPSP experts and government officials have jointly addressed queries from journalists.

- In addition, a strong Adverse Events Following Immunization (AEFI) Surveillance program is in place to address community concerns and maintain public confidence.
- The detection of VDPV in Hyderabad and other places has intensified the discussion on replacing oral polio vaccine (OPV) with inactivated polio vaccine (IPV) as advocated by WHO.
- We have successfully eradicated polio and other deadly diseases by effectively utilizing vaccinations. The gains made possible through consistent medical research should not be squandered away under the influence of certain anti-social elements.

PRIVACY AND INDIA

Context

- Puttaswamy judgement which holds that the right to privacy is protected as a fundamental constitutional right under Articles 14, 19 and 21 of the Constitution of India.
- Concerns about surveillance all across the globe due to Cambridge analytical and other scandals.
- Economic Survey also highlights the falling marginal cost of data that has led to a data explosion

Background

- Privacy has been defined by the US judiciary as the right to be let alone. This concept is now being deemed by experts as insufficient in a largely interconnected world.
- The Supreme Court of India opined (in Ram Jethmalani vs Union of India case.) that “it is important that human beings should be allowed domains of freedom that are free of public scrutiny unless they act in an unlawful manner.”
- Privacy ensures that the freedom of speech and expression survives. This is because once we are put under surveillance we will start to censor ourselves for fear of state action.
- Democratic ideals of Pluralism and diversity start in the mind. And only an unfettered mind free from fear can appreciate and revel in these ideals.
- Recently the use of private data for election campaigning brought out the controversy regarding large scale storage of public data.
- Facebook, Equifax etc were also under fire for violating user privacy and using unethical means to track users’ lifestyle and movements.
- Repressive regimes like Saudi Arabia and China also extensively use data mining technology to monitor and surveil citizens. They use coercive methods to suppress dissent and censor free speech.
- India also had plans to initiate mass surveillance programme but had to put it on hold after receiving widespread criticism.

Concerns

- Having no privacy is like having a perpetual warrant in your name. If you feel you are under constant surveillance you will never enjoy freedom and liberty which are your fundamental rights.
- Unregulated access to data can lead to suppression of dissent and censorship. Journalists, Human Rights Activists etc. can be put under an invisible prison of surveillance.
- People who are leading a lifestyle which is deemed a taboo by certain section of the society, might be vilified or targeted. For example homosexuals.
- Surveillance by Police also causes concentration of power and puts civil liberties at serious risk.
- Law enforcement officials across the world are also accused of unauthorised data collection, data mining to predict travel plans etc to put citizen’s reputation at risk.
- Private details like travel details, shopping history financial details etc are used to create online granular profiles which are then sometimes used to spread specifically crafted fake news. This has increased the potency of fake news in the country.
- GDPR(General Data Protection Regulation)rules framed by the EU has become a model for the world when it comes to privacy. Right to be forgotten is also in effect in the EU.
- SC in previous judgements have also asserted the need for a right to reputation. The society must be mature enough to understand in order to preserve reputations privacy is crucial.

Background on Puttaswamy judgement

- Under this unanimous judgement of a nine judge bench, Supreme Court of India has held that right to privacy is a Fundamental Right and it is protected under Article 21 of the Constitution of India.

- It explicitly overruled previous judgements of the Supreme Court in *Kharak Singh vs State of UP* and *M.P Sharma vs Union of India*, which had held that there is no fundamental right to privacy under the Indian Constitution.
- the triple test laid down in the judgment to check if it invades privacy viz.
 1. Existence of a law - A legislation that legalises the collection of personal data
 2. A legitimate state interest - A purported goal like national interest, security etc. that justifies collection of data.
 3. Test of proportionality - a rational connection between the collection of data and the objective which the state is claiming to achieve.
- The SC also opined that sexuality or sexual orientation is also protected under privacy. This had an impact on the later SC judgement that decriminalised homosexuality.
- The judgement also recognised right to food as a right under the larger ambit of privacy. This will have an impact on the debate surrounding the consumption of beef, alcohol etc.
- Puttaswamy judgement also addressed the rising concern against 'Big Data' and stressed on the need for a data protection law.
- Based on the triple test framed by this bench, Aadhaar was declared constitutional.

Background on draft personal data protection Bill 2018 recommended Justice B.N. Srikrishna committee

- The draft bill recognises the 'right to privacy' as a fundamental right.
- The law does not have retrospective effect.
- The draft has recommended setting up a Data Protection Authority to prevent misuse of personal information. The draft Bill also provides for setting up an Appellate Tribunal.
- The penalty would be Rs.15 crore or 4% of the total worldwide turnover of any data collection/processing entity, for violating provisions.
- The three facets - the individual, the state and the industry - is considered in the bill with respect to data.
- The government will notify certain type of data as critical data, which must be stored within the country. This is known as data localisation. Non-critical data can be stored outside the country subject to some conditions, as long as one copy of the data is available within India. Failure to take prompt action on a data security breach can attract up to Rs.5 crore or 2% of turnover as a penalty.
- 'Data principal' refers to the individual or the person providing their data. Processing of sensitive personal data should be on the basis of "explicit consent" of the data principal which should be given before the commencement of the processing.
- Anonymization refers irreversible process of transforming personal data to a form in which a data principal cannot be identified. Provisions of the draft bill do not apply to anonymised data as long as the anonymization process meets the standards set by the appropriate authority.
- The data principal will have the right to restrict or prevent continuing disclosure of personal data by a data processor which is known as the 'right to be forgotten'. The draft bill also recognises the 'right to be forgotten' but this right does not allow for a total erasure as allowed in the European Union. The data holder may charge a reasonable fee to be paid for complying with such requests.

MINORITY PROTECTION AND INDIA

Context

- Recent political developments have put the issues of minority appeasements and minority harassment back into the forefront.
- Recent increase in hate crimes has also triggered debates about the need for a separate legislation to protect minorities against lynching and hate crimes.

Background

- Article 1 of the UN Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."
- Across the globe the anti-immigrant/ anti minority sentiments are on the rise.
- The shooter responsible for the massacre at "El Paso" claimed to have been troubled by minorities gaining more power after alleged unregulated immigration.
- Europe has also witnessed a few anti minority hate crimes. A same-sex couple were attacked in London recently while they were travelling in the bus. Brexit campaign in the UK also had strong anti-immigration messages.
- The rising civil unrest and conflicts in many parts of the world are causing a rise in refugees. Climate change has also forced a large section of the population to seek shelter in other countries.
- But when such refugees reach relatively safe countries they are targeted for their religion, race, ethnicity etc.

Indian context

- Even though the term minority has been used in our constitution, the constitution has not attempted to define it.
- The National Commission for Minorities Act, 1992 in the Section 2(c) of the act defines a minority as "a community notified as such by the Central government". India this applies to Muslim, Christians, Sikhs, Buddhist and Parsis (Zoroastrian), Jain religions.
- As per TMA Pai Foundation vs. State of Karnataka case in the Supreme Court a minority either linguistic or religious is determinable only by reference to the demography of the State and not by taking into consideration the population of the country as a whole.
- When we discuss the term minorities we should not limit ourselves to religious minorities. Linguistic minorities, transgender etc are also considered minorities in the larger socio-political framework.
- Simple numerical majority-minority constructs fail to include regional (like non-dominant tribe groups in the North East), linguistic (Bengali speakers in erstwhile East Pakistan) and other "pattern of life follower" (ethnic) minorities.
- Recently due to the rise in majoritarian impulses the nation has witnessed a spike in hate crimes against minorities.
- This has been amplified by targeted hate speech and fake news against such communities.
- People holding responsible political positions also have been repeatedly caught using fake or questionable sources to make false claims.
- This atmosphere has been further vitiated by irresponsible high decibel TV debates designed to cause shock and outrage.

Way forward

- In order to protect our constitutional values of individual dignity, Equality and liberty we must strive to discourage and remove hate filled messages from our society.
- Political leadership must take a leadership role in disowning hateful elements within their party and uphold their commitment to our constitution.

- A comprehensive anti-hate legislation and policy must be brought to act as a deterrent against hate crimes.
- Recent positive developments like decriminalisation of homosexuality have shown that our society is empathetic towards minorities. A few anti-social elements must not be allowed to jeopardise gains made in this regard.

AIDS AND INDIA

Context

- India has achieved significant progress in containing the AIDS epidemic.
- The stigma faced by HIV positive patients is a relevant social issue

Background

- According to a World Bank report India witnessed a decline of HIV prevalence among homosexual men from 7.41 per cent in 2007 to 4.43 per cent in 2011.
- UNAIDS is working towards ensuring that, by 2020, 30 million people have access to treatment through meeting the 90–90–90 targets, whereby 90% of people living with HIV know their HIV status, 90% of people who know their HIV-positive status are accessing treatment and 90% of people on treatment have suppressed viral loads.
- National AIDS Control Programme (NACP), implemented by the National AIDS Control Organization (NACO) under the Ministry of Health and Family Welfare is the nodal programme for AIDS prevention, treatment and awareness generation. India is committed to achieving the 90-90-90 targets of UNAIDS.
- India has also declared recently its intention to provide free secondary treatment to all patients who require it.
- Even when only 0.27 % national prevalence is reported, vast regional disparities remain.
- As per the India HIV Estimation 2017 report, by the Ministry of Health and Family welfare, Manipur has the highest estimated adult HIV prevalence of 1.22 per cent, followed by Andhra Pradesh with 0.75 per cent.
- Also, among the 2.1 million people living with HIV/AIDS about half of them are children
- As many as 116,000 new HIV infections among adults and around 14,500 new infections among children occurred in 2011.

Way forward

- Region and state wise plans must be evolved to tackle the spread of new infections.
- New policies for AIDS infected children must be integrated with Integrated Child Development Services (ICDS) Anganwadi infrastructure and ASHA workers must be given special training.
- Drug users must be shown compassion by the law enforcement agencies and the Police must coordinate with the medical community to ensure that unsafe use of needles by drug addicts is checked.
- Due to the stigma faced by sex workers they are not able to get access to health counsellors, medical clinics etc. There must be a comprehensive policy to tackle this.
- National Aids Control Programme (NACP) Phase IV aims to reduce new infections by 50 per cent and also provide comprehensive care, support and treatment to all persons living with HIV/AIDS.
- 2016 United Nations Political Declaration on Ending AIDS sets world on the Fast-Track to end the epidemic by 2030. India must ensure achieving its targets through sustained focused campaign with renewed vigour.

SURROGACY REGULATION BILL

Context

- Recently Surrogacy (Regulation) Bill was passed in Lok Sabha
- There are ethical concerns surrounding this issue that has been rekindled due to the passage of the bill
- The Surrogacy (Regulation) Bill, 2019 was introduced by the Minister of Health and Family Welfare in Lok Sabha on July 15, 2019. It was passed in Lok Sabha on August 5, 2019

Analysis of the Surrogacy (Regulation) Bill

- The Bill defines surrogacy as a practice where a woman gives birth to a child for an intending couple with the intention to hand over the child after the birth to the intending couple.
- The Bill prohibits commercial surrogacy, but allows altruistic surrogacy. Altruistic surrogacy involves no monetary compensation to the surrogate mother other than the medical expenses and insurance coverage during the pregnancy. Commercial surrogacy includes surrogacy or its related procedures undertaken for a monetary benefit or reward (in cash or kind) exceeding the basic medical expenses and insurance coverage.
- Surrogacy is permitted when it is: (i) for intending couples who suffer from proven infertility; (ii) altruistic; (iii) not for commercial purposes; (iv) not for producing children for sale, prostitution or other forms of exploitation; and (v) for any condition or disease specified through regulations.
- The intending couple should have a 'certificate of essentiality' and a 'certificate of eligibility' issued by the appropriate authority.
- A certificate of essentiality will be issued upon fulfilment of the following conditions: (i) a certificate of proven infertility of one or both members of the intending couple from a District Medical Board; (ii) an order of parentage and custody of the surrogate child passed by a Magistrate's court; and (iii) insurance coverage for a period of 16 months covering postpartum delivery complications for the surrogate.
- The certificate of eligibility to the intending couple is issued upon fulfilment of the following conditions: (i) the couple being Indian citizens and married for at least five years; (ii) between 23 to 50 years old (wife) and 26 to 55 years old (husband); (iii) they do not have any surviving child (biological, adopted or surrogate); this would not include a child who is mentally or physically challenged or suffers from life threatening disorder or fatal illness; and (iv) other conditions that may be specified by regulations.
- To obtain a certificate of eligibility from the appropriate authority, the surrogate mother has to be: (i) a close relative of the intending couple; (ii) a married woman having a child of her own; (iii) 25 to 35 years old; (iv) a surrogate only once in her lifetime; and (v) possess a certificate of medical and psychological fitness for surrogacy. Further, the surrogate mother cannot provide her own gametes for surrogacy.
- Surrogacy clinics cannot undertake surrogacy related procedures unless they are registered by the appropriate authority. Clinics must apply for registration within a period of 60 days from the date of appointment of the appropriate authority.
- The central and the state governments shall constitute the National Surrogacy Board (NSB) and the State Surrogacy Boards (SSB), respectively. Functions of the NSB include, (i) advising the central government on policy matters relating to surrogacy; (ii) laying down the code of conduct of surrogacy clinics; and (iii) supervising the functioning of SSBs.
- The offences under the Bill include: (i) undertaking or advertising commercial surrogacy; (ii) exploiting the surrogate mother; (iii) abandoning, exploiting or disowning a surrogate child; and (iv) selling or importing human embryo or gametes for surrogacy. The penalty for such offences is

imprisonment up to 10 years and a fine up to 10 lakh rupees. The Bill specifies a range of offences and penalties for other contraventions of the provisions of the Bill.

Concerns

- A study conducted in July 2012, backed by the UN, put the surrogacy business at more than \$400 million with more than 3000 fertility clinics all over the country. Foreign nationals, who want to escape tough surrogacy laws in their own countries, come to India in search of poor vulnerable women, who can be used for renting their wombs to produce a baby for a petty amount of money very easily in the absence of regulations. The global surrogacy trade, however, has been fraught with scandals.
- This regulation tries to put an end to some of the problems related to surrogacy. However, concerns remain that due to these regulations a black market might be created of willing women who may not have received approval from any appropriate authority.

SOCIAL MEDIA AND ITS IMPACT ON SOCIETY

Context

- Social media has been accused of polarising the society due to the inflammatory nature of certain posts.
- World over concerns have been raised over social media being used for surveillance, election meddling etc.

Background

- Social media has become ubiquitous. As per a UN report 47 % of the global population is online and among them the percentage of social media users is rising steadily.
- It does not have a steep learning curve and compared to other traditional websites offers content in the local language.
- The barriers to entry are quite low and there is a large and well development ecosystem in place for users which is unavailable in traditional TV media.

The positives of social media

- Social media offers a variety of entertainment that offers an escape from the conventional scripted entertainment industry funded by established studios.
- It offers people-to-people interaction that breaks barriers and forges true human connection.
- It also has been instrumental in pro-democracy fights in many oppressive regimes.
- Social media also played an important role in bringing out stories of 'Metoo' victims.
- Social media is also playing a crucial role in disaster relief, blood donation drives etc.

The concerns

- It has led to anonymous trolls who attack the reputation of an individual.
- Women face cyber rape and threats that affect their dignity severely.
- Fake news and communal venom also spreads like wildfire on the media.
- Fake news about a child abduction gang was spread by teenagers as a prank and this led to a few people being attacked. This is encouraged by the fact that internet anonymity offers a disconnect from reality. So its users feel that they are not going to face any consequence to their actions.
- Social media bubbles or echo chambers are created where one finds only opinions that conform to one's own world view (confirmation bias). This strengthens already existing biases and prejudices.
- It also creates false notions about beauty and physical standards and strengthens narcissism in some and weakens self-esteem in others.
- Very structured, deep psychometric analyses have been used to influence elections and incite violence.
- Conclusion : There have been calls to regulate social media or ban it altogether. A ban might be an extreme step. However a digitally literate country is the need of the hour. Responsible social media use must be taught at every school and college in the country.

FISHERMEN IN INDIA

Context

- Blue economy gaining popularity.
- India has a large fishing population along its long coastline.

Background

- Livelihood support and gainful employment to more than 14 million people.
- Indian fisheries constitute about 6.3% of the global fish production. The sector contributes 1.1 per cent of the GDP and 5.15 per cent of the agricultural GDP.
- India has huge potential to increase fish production from 2.02 million sq km of Exclusive Economic Zones, 1.91 lakh km of rivers and canals, 3.15 million hectares of reservoirs, and 1.24 million hectares of brackish water.

Issues

- Fishermen constitute some of the most underdeveloped demography in any region.
- They frequently bear the vagaries of nature and the brunt of natural disasters like tsunami and cyclones.
- Due to lack of navigational amenities many fishermen frequently get lost in the sea. A few of them have time and again ended up in Pakistani waters.
- Due to climate change, it has become more difficult to navigate unpredictable sea. The harvest has also become more unpredictable. Deep sea fishing / large scale commercial in order to generate more harvest have created points of tension between India and Sri Lanka.

Way Forward

- Separate Ministry for ministry has to be constituted to attract and utilize FDI in this sector.
- This will also ensure that diplomatic issues related to fishing get solved promptly.
- A separate ministry will also be able to study and realise the full potential of the blue economy.
- More sustainable fishing techniques like fish rearing in paddy fields etc have to be promoted.
- Logistic facilities like cold chain supply, packaging facilities at sea, better export support etc also needs to strengthen.
- A comprehensive insurance and pension package specially tailored for fishermen have to be formulated.
- Taking inspiration from Kerala a separate coastal security wardens should be trained and employed from among the fishermen community.
- Smart city scheme and RURBAN scheme must be modified to the needs of this vulnerable community.

INCOME INEQUALITY IN INDIA

Context

- Income inequality is at an all-time high and is growing unabated.
- Rising inequality and unemployment are creating ruptures in the fragile fabric of our society.

Background

- In the global level where 82% of the wealth generated last year worldwide went to the 1%, while 3.7 billion people that account for the poorest half of the population saw no increase in their wealth, the survey said. Also, Billionaire wealth has risen by an average of 13% a year since 2010 – six times faster than the wages of ordinary workers, which have risen by a yearly average of just 2%.
- India's richest 1% garnered as much as 73% of the total wealth generated in the country in 2017, according to a new survey by international rights group Oxfam.
- 67 crore Indians, comprising the population's poorest half, saw their wealth rise by just 1% in 2017 according to the same report.
- In India, this is also more problematic due to the prevalence of caste system and regional imbalances.
- A study jointly conducted by a few Indian universities found that Only 22.3 per cent of the upper caste Hindus own 41 per cent of the country's total wealth and form the richest group, whereas 7.8 per cent of Hindu Scheduled Tribes own the lowest share of the country's assets at 3.7 per cent.
- The study also highlighted that five states — Maharashtra, Uttar Pradesh, Kerala, Tamil Nadu and Haryana — owned about 50 per cent of the country's total wealth.

Issues

- This goes against constitutional ideas of equality of status and opportunity and the equitable distribution of wealth.
- Regional imbalances will pose a serious threat to cooperative federalism.
- Government must promote inclusive growth by promoting measures like land reform, social security pensions, scholarships and skill training for the vulnerable communities.
- It must also explore introducing inheritance tax for the super-rich.
- Private sector investment is also a necessity and that has to be encouraged by improving business environment, discouraging tax-terrorism, and promoting pro-enterprise policies.
- According to Oxfam erosion of workers' rights; excessive influence of big business over government policy-making; and the relentless corporate drive to minimise costs in order to maximise returns to shareholders are major causes of income inequality.

Way Forward

- Government has to ensure that its policies address these causes and ensure the creation of a free and fair market.
- Quality of public services like health and education is also a great leveller and government must also focus in this regard.
- The Central government and NITI Ayog should evolve policies to correct inequalities between states and bring out cooperative federalism in its true form.
- A comprehensive plan to promote inclusive growth is the only solution to address the income inequality problem in India.

CHILD PROTECTION IN INDIA

Context

- Recently, Supreme Court has drawn attention of the government to the problem of child pornography.
- In case of tragedies like Surat Fire, a lot of victims were children.

Background

- UN Conventions on the rights of the Child states that the State shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.
- However child labour, malnutrition, stunting etc are still affecting a large population of Indian children.
- According to the Ministry of Women and Child Development, 242,938 children disappeared between 2012 and 2017. But according to Track Child, a government database, nearly 237,040 went missing between 2012 and 2014 alone.
- There is a lack of credible data available for missing children.
- Children are still working long hours performing hazardous and exhausting jobs for menial wages.

Existing Provisions

- In order to address the problem of child trafficking, Supreme Court recently ordered that In case of every missing child reported; there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise and an appropriate FIR has to be registered
- Legal measures to protect the right of the child are - Juvenile Justice Act , Immoral Trafficking (Prevention) Act (ITPA), 1956 , Pre-Conception and Prenatal Diagnostic Techniques Act, 1994 , Article -21 A: The State shall provide free and compulsory education to all children of the age 6-14years, Article-45, Article-39(f);, Article-243 G
- National Commission for Protection of Child Rights (NCPCR) and Central Adoption Resource Authority (CARA) are institutional support available to protect and promote the rights of children.

Way Forward

- Government has to ensure that credible data is available at all levels about missing, illiterate and malnourished children.
- Special budgetary provisions have to be made for promotion of child rights.
- Hostels and care homes have to be built to accommodate rescued children.
- Awareness about child labour and strict enforcement is the need of the hour.
- Our effort must be to ensure that every child reaches his/her full potential free from any and all forms of exploitation and abuse.

