

22nd July 2022 Comprehensive News Analysis

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B. GS 2 Related

Category: GOVERNANCE

1. One year since the Pegasus spyware revelations

Syllabus: Important aspects of governance, transparency and accountability

Prelims: About Pegasus spyware

Mains: Key concerns associated with the use of Pegasus spyware in India and important recommendations.

Context

One year has passed since disclosure about the use of Pegasus spyware and the Supreme Court will be hearing the case against the use of this software soon.

Pegasus spyware

- Pegasus is a spyware tool from the Israeli firm NSO Group.
- The Pegasus spyware, when deployed, can access data stored on phones like photos and contacts, and also is capable of activating a phone's camera and microphone.
 - This facilitates spying on individuals without their knowledge.
- Pegasus spyware has evolved by using "zero-click" attacks wherein the devices are infected without any action from the target individual.
- Pegasus is classified as a cyberweapon and according to Israeli law, it can only be sold to legitimate government entities.

Allegations of the use of Pegasus spyware in India

- Reports in July 2021 suggested that at least 40 journalists, Cabinet Ministers, opposition leaders, government officials and human rights activists were allegedly subjected to surveillance using Pegasus.
- The Central government, however, has neither confirmed nor denied the use of Pegasus for surveillance.
- The Supreme Court, upon receiving several petitions, directed the Centre to file a detailed affidavit regarding the use of Pegasus. But the Centre refused to comply by saying that public affidavits would have a serious impact on national security.
- The Supreme Court then appointed a committee under the leadership of R.V Raveendran to look into the issue and investigate if the spyware was used on the devices of Indian citizens.

Provisions in India that enable surveillance of individuals

• Section 5(2) of The Indian Telegraph Act, 1885 - provides the authority to the government to intercept a



message "in the interests of the sovereignty and integrity of India, the security of the state, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence."

- The procedure for it is mentioned in the **Indian Telegraph Rules**, 1951.
- Rule 419A of the Indian Telegraph Rules, 1951 says that surveillance needs the sanction of the Home Secretary at the Central or State level, but in "unavoidable circumstances" can be cleared by a Joint Secretary if they have the Home Secretary's authorisation.

• Section 69 of the Information Technology Act, 2000

Section 69A empowers the authorities to intercept any information generated, transmitted, or received in any computer resource if it is necessary to do so in the interest of the sovereignty or integrity of India, defense of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any cognizable offence or for investigation of any offence.

• K.S. Puttaswamy v/s Union of India judgement (2017)

• The Supreme Court held that the need for surveillance should be legally valid and serve a legitimate aim of the government. Read more on the <u>Puttaswamy judgement</u> in the linked article.

Concerns about the use of Pegasus spyware in India

- Against the rights of citizens Surveillance of this kind is said to be a gross violation of the fundamental right of citizens which is guaranteed under Articles 19 and 21 of the Constitution.
 - The 'Freedom in the World' report of the Freedom House in 2021 cited the use of Pegasus as one of the reasons to downgrade India's status in the index from 'free' to 'partly free'.
- Lack of transparency associated Cabinet Ministers, government officials and agencies such as CERT-IN have constantly refused to address the claims made against the use of Pegasus Spyware in India.
 - Further, when the IT Committee in July 2021 sought to question officials from the IT Ministry and the Home Ministry on the issue of Pegasus, members abstained and prevented a quorum.
 - The demands of the Opposition to discuss the issue in Parliament were also ignored.
- Lack of accountability Countries like the U.S., France, the U.K., the UAE and Israel have undertaken active steps to hold the individuals accountable for the use of such spyware.
 - According to the Constitution of India, "the legislature is responsible for holding the executive
 accountable" but the lack of accountability is evidently seen in the way India has handled such
 violations.

Delay in the Judicial response

- The individuals who were reportedly the victims of the spyware approached the SC in August 2021 whereas the SC set up the technical committee in October 2021.
- The committee then filed an interim report in May 2022 and asked for more time to prepare the final report.
- This delay in the Judicial proceedings is again a serious cause of concern.

Recommendations

- There is an immediate need for introducing reforms to the surveillance laws in the country.
- The <u>Information Technology Act</u>, 2000 and the Indian Telegraph Act 1885 which were introduced at the time when there was no advanced spyware such as Pegasus must be updated and amended as per the requirements of the modern tech advancements.
- The Data Protection Laws of India must be formulated in such a way that it plugs all the existing loopholes in the surveillance framework of the country.



Nut graf: In the absence of a stringent data protection regime in the country, the surveillance of individuals through spyware such as Pegasus will have far-reaching consequences on the rights and privacy of the citizens that impact the democratic values of India. This calls for immediate intervention by the Judiciary and the legislature.

C. GS 3 Related

Nothing here today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY

1. Madam President

Category: GS2- Polity

Syllabus: Structure, organization and functioning of the Executive.

Mains: Milestones in the journey of tribal empowerment

Context: Droupadi Murmu was elected as the 15th President of India. She will be administered the Presidential oath of office by Chief Justice of India N V Ramana at a ceremony on July 25.

Symbolism behind the election of Droupadi Murmu:

- In the Amrit Mahotsay year of independence, Draupadi Murmu is the first Santhal tribal woman to become the President of India.
- Ms. Murmu is only the second woman to occupy the post of President.
- This is a watershed moment in the history of tribal empowerment as it comes 101 years after two tribespeople were elected to legislative bodies in British India.
- The election of Ms.Murmu has become an inspiration for all marginalized sections of society, especially for women, tribals and the poor.
- This presents the right time to address the concerns of tribal people in the country with relevant policies and actions.

Other milestones in the journey of tribal empowerment:

- Constituent Assembly members like Jaipal Singh Munda, a tribal leader with clear knowledge of the disadvantageous position of the tribespeople pushed special provisions such as the 5th and 6th Schedules of the Constitution.
- Jharkhand and Chhattisgarh were formed as separate states in the year 2000 to give more focused attention to the concentrated tribal population in these regions.
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, was passed in 2006.



Nut graf: Ms.Murmu should be looked at as the President of 1.3 billion people of India and not merely as a "tribal president" for the real success of our democracy. The symbolism behind this election can be realized only if it is backed up by the administration with policies and actions countering the wider disempowerment of tribespeople, justice and fairness to all.

Category: INTERNATIONAL RELATIONS

1. 'Advantage New Delhi' in Sri Lanka's India lifeline. What can the world do to help Sri Lanka?

Category: GS2- International relations

Syllabus: India and its neighbourhood – International relations

Mains: India-Sri Lanka bilateral relationship

Context: Recent election of Ranil Wickremesinghe as the President of Sri Lanka gives India an opportunity to take the front in the foreign aid game in its neighbourhood.

Opportunity for India: Why Supporting Sri Lanka could be in India's best interest

- Motivated by the humanitarian crisis affecting the Sri Lankan people and the political pressure from South India, India was the first to support Sri Lanka with foreign aid to fight its economic crisis.
- India gave aid on time for Sri Lanka to get some breathing space in order to reach an agreement with the IMF.
- In this year only, India has given aid worth \$3.8 billion in the form of grants, loans and currency swaps to Sri Lanka.
- Helping Sri Lanka to address the crisis could prove to be a major win for India's 'neighbourhood-first' policy.
- As one of the largest trading partners in <u>SAARC</u> countries, the total trade between the two stands at US\$ 6.2 billion in 2018-19, out of which India's exports to Sri Lanka were US\$ 4.7 billion and imports were US\$ 1.5 billion.
 - So, a stable economy in Sri Lanka will help India deepen its trade and investment linkages which could prompt regional integration and prosperity.
- Economic and security factors are interlinked, an unstable Sri Lankan economy could pose security risks to India and lead to a flood of refugees across the Palk Strait.
- Also, it can become a fertile ground for extremist ideologies which will impact India's maritime security with drugs and arms smuggling.

Dimensions to Chinese aid

- China faces a predicament in bailing out Sri Lanka as it worries that unilateral restructuring of Sri Lanka's debt would encourage similarly distressed nations to seek debt relief from China.
- India should use this opportunity to cement its advantage over China by working with other partnering countries/organizations like the United States, Japan and the European Union as well as the International Monetary Fund in bailing out Sri Lanka.

What can other countries/organizations do to help Sri Lanka?

• Sri Lanka followed nationalist economic policies and kept borrowing from the commercial market instead of seeking assistance from the IMF.



- The Indian Government by itself cannot solve Sri Lanka's problem. Sri Lanka needs everybody to who it owes debts to come together and give it some breathing space.
- As a bilateral partner, China is accountable for loading on debt, irresponsible lending, and now not coming soon enough to Sri Lanka's aid.
- A deep crisis like this needs IMF assistance along with the support of other countries to the IMF programme.
- If a country is under the IMF Programme then it will boost the confidence of external investors, and external creditors to invest back in the country.
- A limited version of the rupee regionalisation will help enhance regional and bilateral trade through reduced transaction costs and exchange rate risk.

Issues with IMF Assistance:

- The conditionality of an IMF agreement is too harsh and does not result in long-term structural solutions.
- Request for Sri Lanka to be classified temporarily as a low-income country to get emergency assistance from the IMF on the lines of Ukraine is not processed.
- Given the political crisis, even the fundamental assessment of debt sustainability has not been reached with the IMF.

The road ahead for the new administration:

Immediate measures:

- It has to restore the rule of law and public order to bring normality.
- The government must finalize talks on an IMF programme with national consensus which will raise taxes and utility prices to raise revenue and increase interest rates to control <u>inflation</u> while preserving social welfare expenditures to protect the poor.

Long-term measures:

- It should focus on structural reforms to make the economy more open to trade and investment by reducing trade barriers and allowing market forces to determine resource allocation.
- Privatizing loss-making state-owned companies such as Sri Lankan Airlines and the Ceylon Petroleum Corporation and reducing red-tapism will boost business.
- The executive presidency should be abolished.
- It should implement strong anti-corruption policies.
- It should focus on neutral foreign policy away from the pro-China stance of the previous administration.

Nut Graf: With political will, timely and right set of policies, Sri Lanka can go back to some economic normalcy within the next 3 years. And, India stands to gain by helping Sri Lanka in its hour of crisis. A friend in need is a friend indeed.

F. Prelims Facts

1. Karnataka tops NITI Aayog innovation index list

Syllabus: GS-3; Economy; Issues relating to planning, mobilization of resources, growth, and development.



Prelims: India Innovation Index, 2021

Context

NITI Aayog's India Innovation Index, 2021

India Innovation Index, 2021

- NITI Aayog's India Innovation Index aims to determine innovation capacities and ecosystems at the sub-national level.
- Karnataka secured the top rank in NITI Aayog's India Innovation Index, 2021.
 - Karnataka has held the top rank under the Major States category, in all three editions of the Index
- **Manipur** bagged the top rank in the Northeast and Hill States category.
- **Chandigarh** is the top performer in the Union Territories and the City States category.
- Acknowledging that India's average innovation score is not up to the mark, considering India's ambitions of being one of the top 25 nations in the Global Innovation Index, the latest report by NITI Aayog has recommended measures such as:
 - Increasing Gross Domestic Expenditure on R&D (GDERD)
 - Promoting private sector participation in R&D and closing the gap between industry demand and what the country produces through its education systems
- The report said that the countries that spend less on GDERD fail to retain their human capital in the long run and the ability to innovate is dependent on the quality of human capital.
 - India's GDERD as a percentage of GDP is about 0.7%.

Innovation index

The table lists the score and ranking of 17 major States in the third edition of NITI Aayog's India Innovation Index. Karnataka ranked first followed by Telangana and Haryana while Chhattisgarh, Odisha and Bihar were ranked at the bottom of the index



State	Score	Rank	State	Score	Rank
Karnataka	18.01	1	M.P.	12.74	13
Telangana	17.66	2	Gujarat	12.41	14
Haryana	16.35	3	Bihar	11.58	15
Maharashtra	16.06	4	Odisha	11.42	16
Tamil Nadu	15.69	5	Chhattisgarh	10.97	17

Image source: The Hindu



G. Tidbits

1. Women have right to safe abortion: SC

- The Supreme Court said that "a woman's right to reproductive choice is an inseparable part of her
 personal liberty under <u>Article 21</u> of the Constitution and she has a sacrosanct right to bodily
 integrity."
 - The court further added that forcing a woman to continue with her pregnancy would not only be a violation of her bodily integrity but also **aggravate her mental trauma**.
- The court while hearing the appeal of a woman who wanted to abort her 24-week pregnancy after a failed relationship with her partner noted that, the **Medical Termination of Pregnancy (Amendment) Act 2021** had replaced the term 'husband' with 'partner' which includes unmarried women within its ambit.

2. Russia resumes gas supplies to Europe via Nord Stream

- Russia resumed its critical gas supplies to Europe through Germany via the Nord Stream pipeline after 10 days of maintenance.
- Germany, which is highly reliant on Russian gas, had feared that Russia would not reopen the pipeline and use energy as a "weapon".
- Germany feels that Russia is reducing its gas supplies as a countermeasure against the Western sanctions imposed on Russia after its invasion of Ukraine.
- The shutdown of imports or a sharp reduction in the flow of gas from east to west will severely impact Germany as it results in the closing down of factories and creates shortages for household requirements.
- The International Monetary Fund (IMF) noted that a shutdown in supplies could result in a drop of 1.5% of Germany's gross domestic product.

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with respect to Kalbelia: (Level - Medium)

- 1. The Kalbelia are a snake charming tribe in Rajasthan.
- 2. Kalbelia dance and songs are now on UNESCO's representative list of the Intangible Cultural Heritage.

Which of the statements given above is/are correct?

- a) 1 only
- b) 2 only
- c) Both
- d) None

Answer: c

Explanation:

- Statement 1 is correct, The Kalbelia are a snake charming tribe from the Thar Desert in Rajasthan.
- Statement 2 is correct, Kalbelia folk songs and dances of Rajasthan were recognized by UNESCO as an intangible cultural heritage in 2010.
 - o India has been elected to the Intergovernmental Committee of UNESCO's 2003 Convention for



- the Safeguarding of the Intangible Cultural Heritage (ICH) for the 2022-2026 cycle.
- o India has served as a member of the ICH Committee twice from 2006 to 2010 and from 2014 to 2018.
- With 14 inscriptions on the Representative List of Intangible Cultural Heritage of Humanity, India also ranks high in the listing of intangible cultural heritage.

Q2. With respect to Kathak, which of the following statements is/are correct? (Level - Difficult)

- 1. Kathak is the only form of classical dance wedded to Hindustani or North Indian music.
- 2. It is the only classical dance of India having links with Muslim culture, it represents a unique synthesis of Hindu and Muslim genius in art.
- 3. The nineteenth century saw the golden age of Kathak under the patronage of Saadat Ali Khan.

Options:

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3

Answer: a

Explanation:

- Statement 1 is correct, Kathak is the only form of classical dance wedded to Hindustani or North Indian music.
- Statement 2 is correct, Kathak is the only classical dance of India having links with Muslim culture, it represents a unique synthesis of Hindu and Muslim genius in art.
- Statement 3 is not correct, The nineteenth century saw the golden age of Kathak under the patronage of Wajid Ali Shah who was the last Nawab of Oudh.

Q3. Which amongst the following are examples of Tata Vadya? (Level - Medium)

- 1. Ektara
- 2. Jhanj
- 3. Kamaicha
- 4. Sarod
- 5. Shehnai

Options:

- a) 1, 2 and 5 only
- b) 2, 3, 4 and 5 only
- c) 1, 3 and 4 only
- d) 3, 4 and 5 only

Answer: c

Explanation:



- Tata Vadya or Chordophones are **Stringed instruments**. The tata vadya is a group of musical instruments in which sound is made by the vibration of a chord or a string.
- The examples for Tata Vadya include Veena, **Ektara**, **Kamaicha**, Sitar, Sarangi, **Sarod**, Santoor, Tamboori, etc.
- Jhanj are a pair of hand cymbals made from bronze.
- Shehnai is a wind instrument made of wood and metal.

Q4. With respect to Thanjavur Maratha kingdom, which of the following statements is/are Correct? (Level - Difficult)

- 1. Venkoji was the founder of the dynasty.
- 2. Serfoji II was the last Maratha ruler of Thanjavur.
- 3. Serfoji II authored famous works like "Kumarasambhava Champu", "Mudrarakshaschaya" and "Devendra Kuruvanji" and introduced western musical instruments like clarinet and violin in Carnatic Music.
- 4. Thanjavur was annexed by the British as per the provisions of the Doctrine of Lapse.

Options:

- a) 1, 2 and 3 only
- b) 2, 3 and 4 only
- c) 1, 3 and 4 only
- d) 1 and 4 only

Answer: c

Explanation:

- Statement 1 is correct, Venkoji was the founder of the Thanjavur Maratha kingdom.
- Statement 2 is not correct, Shivaji, the son of Raja Serfoji was the last Maratha ruler of Thanjavur and reigned from 1832 to 1855.
- **Statement 3 is correct**, Serfoji was a patron of traditional Indian arts like dance and music. He authored famous works like "Kumarasambhava Champu", "Mudrarakshaschaya" and "Devendra Kuruvanji".
 - He also introduced western musical instruments like clarinet and violin in Carnatic Music.
- Statement 4 is correct, After the reign of Sivaji until 1855, Thanjavur was annexed under Dalhousie's 'Doctrine of Lapse' as Shivaji had no male successor.

Q5. In India, which one of the following Compiles information on industrial disputes, closures, retrenchments and lay-offs in factories employing workers? (Level - Medium) PYQ (2022)

- a) Central Statistics Office
- b) Department for Promotion of Industry and Internal Trade
- c) Labour Bureau
- d) National Technical Manpower Information System

Answer: c

Explanation:

The Labour Bureau has been bringing out Statistics on Industrial Disputes, Closures, Retrenchments and Lay-offs in factories employing workers in India based on the voluntary returns received every month from the



Labour Departments of the States and Union Territories and the Regional Labour Commissioners (Central).

I. UPSC Mains Practice Questions

- 1. The gaps in an intrusive surveillance framework are causing severe harm to India's democratic ideals compelling a comprehensive surveillance reform. Discuss. (15 Marks, 250 Words) (GS II Governance)
- 2. To deepen trade and investment linkages with Sri Lanka, India can explore the option of increasing the humanitarian aid. Examine. (10 Marks, 150 Words) (GS II International Relations)

