

11 Jul 2022: UPSC Exam Comprehensive News Analysis

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Category: POLITY

1. Twitter's petition on Section 69A of the IT Act

Syllabus: Constitution of India — features and significant provisions

Prelims: Section 69 (A) of the Information Technology Act, 2000

Mains: Implementation of the provisions of Section 69 (A) of the IT Act and various issues associated with it

Context

Twitter has started legal proceedings in the Karnataka High Court against the Central Government's orders of taking down some of the content posted on Twitter.

Background

- Between February 2021 and 2022, the Ministry of Electronics and Information Technology (MeitY) has reportedly ordered Twitter to take down about 1,400 accounts and 175 tweets under Section 69 (A) of the Information Technology Act, 2000 (IT Act)
- Twitter has been negotiating with the ministry to reconsider some of the blocking orders. However, the Ministry in June gave it a final opportunity for Twitter to comply with the orders and warned of “serious consequences” in case of non-compliance.
- Twitter has alleged that some of these orders were “procedurally and substantially” non-compliant with the provisions of Section 69A of the IT Act.

Section 69 (A) of the Information Technology Act, 2000

- Section 69A empowers the authorities to intercept, monitor or decrypt any information generated, transmitted, received or stored in any computer resource if it is necessary or expedient 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
 - Public order or for preventing incitement to the commission of any cognizable offence
 - For investigation of any offence
- It also empowers the government to block internet sites in the interests of the nation. The law also contained procedural safeguards for blocking any site.
- This provision comes under the purview of Article 19 of the Constitution which guarantees freedom of speech and expression, as Clause 2 of the article allows the state to impose “reasonable restrictions” on the freedom of speech and expression which are the same under the Section 69A of the IT Act.
- All the orders to limit the content from circulating must be recorded in writing.
- Upon failure to comply with the orders, the social media intermediaries can be fined along with an imprisonment term which may extend up to seven years.

To know more about – **Information Technology Act, 2000**

Procedure of implementation of the provisions

- The procedures for executing these provisions are mentioned in the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009
- It says that a government-designated officer and an examination committee must verify the content in question within 48 hours of receiving the takedown request.
- Rules also provide an opportunity for the originator of the content to provide clarifications.
- These recommendations are forwarded to the Secretary of the Dept of Information Technology for approval to proceed further with the request to the social media intermediary for restricting access.
- There are emergency provisions that suggest that the clarification be sought after the content has been blocked for specific reasons but within 48 hours.

- The blocking orders can be revoked after thorough scrutiny.
- Rule 16 of the Rules requires strict confidentiality to be maintained regarding all the blocking orders by the government and the actions taken by an intermediary in response to such requests.
 - This provision has been criticised as it affects the transparency of the process.

Procedural issues highlighted by Twitter

- Twitter claims that the government has been simply using the words of Section 69A as reasons for blocking URLs and accounts.
- The Supreme Court in its judgment in the Superintendent, Central Prison, Fatehgarh vs Ram Manohar Lohia case (1960) said that the restrictions made in the public interest must have a reasonable connection with the objective being achieved and held that the restrictions would be set aside if the connection is “far-fetched, hypothetical or too remote”
- However, Twitter has alleged that the government has not provided reasons which justify that the restrictions were required in the interest of public order or for any other reason.
- Twitter says that it restricts violative content only based on a “valid and properly scoped request” from an authorised entity
- Twitter has raised concerns against the restriction orders that are aimed at blocking individual accounts and not the specific content.
- Twitter has questioned if the scope of the legislation is restricted to the already-existing content or content that could be potentially created in the future (by the blocked individuals).
- Twitter has also said that the basis on which multiple accounts and posts have been flagged by the Ministry is “arbitrary” or “disproportionate” as they have failed to provide the originators prior notice and mandatory hearing.
- Further, some of these blocking orders pertain to official accounts of political parties and journalists, blocking which violates the right to free speech.

Supreme court's views on the provisions of Section 69 (A) of IT Act

- The Supreme Court in the Shreya Singhal vs Union of India case, upheld the constitutionality of Section 69A of the IT Act on the basis that the grounds for blocking a website were the same as those found in clause 2 of Article 19.
- The court had also acknowledged the provisions of the section that provided an opportunity for a hearing for the author of the content and the intermediary.
- Further, the Supreme Court has suggested in the past that the content must be assessed from the standards of a “strong-minded, firm and courageous” person and must not be from the standpoint of a “weak” individual who senses danger in every opposing point of view.

Nut graf: According to Twitter's latest global transparency report, India accounted for the fourth highest number of legal content takedown requests to the company under Section 69A of the IT Act. In this context, the social media intermediary has approached the Court alleging that these requests are arbitrary and violate the right to free speech.

C. GS 3 Related

Nothing here today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: HEALTH

1. The road to productivity

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

Mains: Challenges associated with the Ayurveda system of medicine and key recommendations

Context

This article discusses the various challenges associated with the Ayurveda system of medicine

Ayurveda

- Ayurveda is India's traditional medicine which has been in practice for about three thousand years.
- Ayurveda is attributed to Dhanvantari, the physician to the gods in Hindu mythology.
- This system of treatment promotes the prevention of diseases by maintaining a balance between body, mind, and spirit.
- Charaka is called the "Father of Ayurveda".
- Ayurvedic treatment focuses on balancing the five elements namely, aakash (space), jala (water), prithvi (earth), teja (fire), and vayu (air).
- The three doshas according to Ayurveda include Pitta (fire & water), Vata (air & space) and Kapha (earth & water).

Currently challenges associated with Ayurveda medical system

- Since Ayurveda is an ancient treatment system, it cannot be expected to be completely relevant in the present context. The Ayurveda system of medicine currently contains some of the most useful treatment methodologies along with some obsolete ones.
- Example: Ayurveda says that "A sense of ease, improved fitness, easy digestion, ideal body-weight, and handsomeness of bodily features are the benefits that would accrue from regular exercise" which is relevant and valid even today.
- However, Ayurveda's take on urine formation which disregards the role of kidneys is considered to be irrelevant.
- The teachers of Ayurveda have difficulty differentiating between ancient speculations and established scientific facts.
- The tridosha theory of Ayurveda is a rough-and-ready model that was formulated to organise the medical experiences of the authors.
- The diagnosis measures and the treatment methodologies were classified on the basis

of this heuristic model.

- As there was a lack of understanding of the biological processes behind health and illness, speculations also made their way into this model.
- Therefore, this theory contains heuristically valid aspects as well as those which are merely hypothetical.
- Further, the research centres under the Ministry of AYUSH and other academic institutes still believe that since Ayurveda was devised by divine sages it retains timeless relevance.
- Experts say that this has misguided students of Ayurveda into believing that Ayurveda is a “super-sophisticated advanced science”.

Recommendations

- P.S. Varier of the Arya Vaidya Sala Kottakkal pointed out that the “Sareerasthana section of Ayurveda that deals with body structure and function must be revised and other key sections also must be reviewed and rectified.
- Scholars like Debiprasad Chattopadhyaya and Priyavrat Sharma have also called for a review and revision of Ayurvedic texts.
- An article named “Confessions of an Ayurveda Professor” of the Indian Journal of Medical Ethics has also urged for the reform and revision of Ayurveda.
- The author has confessed that the anatomy and physiology contained in the Ayurvedic classics is mostly outdated and the mentioned approaches to this subject are misguided.
- The author has called for a thorough change in the curriculum.

Nut graf: Ayurveda is one of the oldest traditional medicine systems in the world and is still regarded as valuable for its theories and observations. However, there is a need to reform these theories and correct outdated theories and abstract speculations to retain its credibility.

Category: POLITY

1. The worth of liberty in the eyes of the law

Syllabus: *Constitution of India — features and significant provisions*

Mains: *Concerns raised about the criminal proceedings in India*

Context

The arrest of AltNews website’s co-founder

Details

- The individual was arrested by the Delhi Police for his tweet which was almost four years ago on account of causing hurt to the religious sentiments of unidentified persons.
- The charges on him included the ones under IPC Section 153-A (promoting enmity between different groups) and 295-A (malicious acts, intended to outrage religious feelings)
- This has brought the debate on the criminal proceedings in India into the limelight.

Concerns raised about the criminal proceedings in India

Impact of unnecessary arrests

- Critics point out that it is not correct to arrest a person in one case, after summoning him in respect of another.
- Experts feel that wrongful and unnecessary arrests followed by delays in the judgment have severe consequences on the mental health of the individuals.
- Further, many of the times the police are not held accountable for such wrongful arrests.

On search and seizure

- Critics say that there are wide powers of warrantless search and seizure conferred to the police which doesn't require the police to obtain permissions before searches.
- Further, the only condition that the law requires the police to meet for seizing the property is whether such property is "found under circumstances which create suspicion of the commission of any offence" which can be easily by expanding the contours of an investigation
- Also, there are no separate statutory rules that govern searches and seizures of digital devices, such as phones and laptops.

On the provisions of bail

- In case of non-bailable offences (there is no right of bail for an accused), the grant of bail is up to the discretion of the judge which is not regulated by any statutory norms or rules
- Critics say that the exercise of judicial discretion must take into account various factors like the seriousness of the allegations and the interests of the pending investigation.

Nut graf: *Controversial arrests of individuals in recent times have been deeply criticised and experts demand reforming legislations that govern investigations and prosecutions as they have a huge impact on the liberty, privacy, freedom of movement and association of the citizens.*

Category: INFRASTRUCTURE

1. The road to productivity

Syllabus: Infrastructure: Roads

Mains: Significance of cities and infrastructure in achieving economic growth.

Context

This article talks about the important role played by cities and roads in economic development.

Significance of cities in economic development

- Countries around the world have realised the importance of cities in achieving national and macroeconomic growth targets during the COVID pandemic.
- A Barclays report pointed out that "the absolute economic loss was likely the largest

from the shutdown of Kuala Lumpur, Manila, Delhi and Mumbai, which resulted in the losers ranging from \$1 billion-\$1.7 billion per week.

- Experts feel that the pandemic-induced lockdowns in cities adversely impacted India's goal of becoming a \$5 trillion economy.
- Cities through their labour market contribute significantly to economic productivity as the labour force exchanges their labour that helps in knowledge spillovers.
- According to a famous French planner Alain Bertaud "a significant amount of economic and productive activities take place in cities and their jobs".
- Further, the larger a city's effective labour market, the greater will be its agglomeration economies and knowledge spillovers.

Importance of having better road and infrastructure

- Correlation between travel time and productivity– the travel time of the labour force to the workplace plays a crucial role in determining their productivity in cities.
- The longer the commute time in a city, the smaller will be its effective labour market.
- The travel time and the state of roads in the city has a huge impact on the health and productivity of the labour market
- A study on cities in Karnataka revealed that the length of the road had a positive effect on the city's tax base.
- This is because better roads ensure easy access to jobs and increase economic activity, thereby providing confidence and motivation to the public to pay their taxes.
- Further, the study highlighted that every one km increase in the length of the road of a city translated into an increase in the revenues of urban local bodies (ULB) by about ₹430 per capita.

Issues with the roads in the cities in India

- In 2016, it was seen that the travel time to work was one of the slowest in cities like Bengaluru (slowest at 22 km/hour), Delhi (25 km/hour), and Chennai (at 33 km/hour).
- Further, the travel time continues to increase post-pandemic as the ULBS are financially stressed and are unable to address problems such as potholes.
- The private firms in Bengaluru had warned about leaving the city and relocating if the traffic problems were not fixed, as it was impacting the productivity of their employees.

Way forward

- Experts feel that there is a need to develop the roads such that the commute time is shortened and also the commuting cost is reduced within a city.
- The ULB must invest more in the development of infrastructure such as road networks as the development of which will result in increased revenues.
- Further, improving infrastructure like fixing potholes on roads will lead to a significant reduction in travel time which not only enhances effective labour markets of cities and their economic output but also improves access to schooling and healthcare which results in overall well-being of the residents.

Nut graf: Cities and the infrastructure in the cities, such as better roads, play a very crucial

role in achieving robust economic growth and ensuring the overall human development of the country which in turn will help the country achieve its vision of becoming a \$5 trillion economy.

F. Prelims Facts

1. Khejri trees and Bishnoi Movement

Syllabus: GS-3; Environment; Biodiversity and Conservation

Prelims: Khejri trees and Bishnoi Movement

Context

The Bishnoi activists, protest against the felling of khejri trees for the installation of eight solar power plants in Jodhpur district.

Khejri trees

- Khejri (*Prosopis cineraria*) is a species of flowering tree in Fabaceae (pea family)
- It is also called Ghaf (in Middle East), Chhonkara (Uttar Pradesh) and Jammi (Telangana)
- The tree is found in the dry regions of Rajasthan, Delhi, Gujarat, Punjab and Madhya Pradesh in India and also found in Afghanistan, Iran, and Pakistan.
- It is regarded as the 'kalpavriksha of the desert' and also as the 'king of the desert' and the 'wonder tree' for its ability to survive in extreme desert type conditions.
- The tree plays a key role in preserving the ecosystem of arid and semi-arid areas.
- Khejri is the state tree of Rajasthan
- Khejri is a nitrogen-fixing tree and it enhances the fertility of the soil.
- The leaves of the tree have a high nutritive value which are locally called 'loong' and the bark of the tree is used in treating scorpion and snake bites.

To learn about – **Bishnoi Movement**

G. Tidbits

1. Assam man burnt after kangaroo court trial

A man was allegedly burnt alive in Nagaon district of central Assam after a kangaroo court adjudged him guilty of murdering a 22-year-old woman

A kangaroo court refers to one that has been set up without being recognised by any law or justice. These have no official backing in the territory.

These courts do not necessarily follow the procedures established by law and the due process of law.

It is named kangaroo courts as their proceedings are convened quickly and also because their justice proceedings take place "by leaps", like a kangaroo which suggests that these proceedings ignore material evidence.

2. Army needs new utility helicopters

In the wake of ageing Cheetah and Chetak helicopters, the Army Aviation Corps is

looking to enhance its firepower with the induction of the indigenous Light Combat Helicopter (LCH) and Apache attack helicopters.

The induction of the Ka-226T and the indigenous Light Utility Helicopter (LUH) will significantly contribute to increasing the combat potential.

The LUH is designed and developed by Hindustan Aeronautics Limited (HAL).

Apache attack helicopters are Boeing's American twin-turboshaft attack helicopters.

The Kamov Ka-226 is a small twin-engine Russian utility helicopter.

3. Renewable energy to reduce revenues

- A study by the International Institute of Sustainable Development (IISD) suggests that the transition from fossil fuels to renewable energy sources could have financial challenges for India and other major developing countries like Russia, Brazil and China because of their high reliance on revenues from fossil fuel.
- Despite India being a net importer of petroleum products, it earns a significant amount of revenues from cesses and taxes on the consumption of petrol, diesel and oil.
 - Public revenues from fossil fuel production and consumption currently account for 34% of general government revenue in Russia, 18% in India, 16% in Indonesia, 8% in Brazil, and 6% in South Africa.
- The study points out that by 2050, overall fossil fuel revenues in Brazil, Russia, Indonesia, India and China could be as much as \$570 billion, which is lower than a business-as-usual scenario.
- The widest gaps are expected to occur in India (\$178 billion), China (\$140 billion), and Russia (\$134 billion).

H. UPSC Prelims Practice Questions

Q1. Which amongst the following is the best description of Bishnoi Movement?

(Level – Medium)

1. Protests against construction of large dams in Uttarakhand
2. A social movement aimed at the protection of Silent Valley, an evergreen tropical forest
3. A movement in Rajasthan to protect Khejri trees and other wildlife such as antelope, deer, and wildfowl.
4. An awareness campaign to show the necessity for the protection of migratory birds in Odisha

Answer:

CHECK ANSWERS:-

Answer: C

Explanation:

- Bishnoi Movement is a movement in Rajasthan to protect Khejri trees and other wildlife such as antelope, deer, and wildfowl.
- It was started in the early part of the 18th century in Rajasthan by the Bishnoi community and is considered as one of the first organized proponents of

eco-conservation, wildlife protection, and green living.

Q2. Consider the following statements with respect to Vellore Mutiny: (Level – Difficult)

1. The Vellore Mutiny predated the Indian Revolt of 1857 by about a decade.
2. It was the first instance of a large-scale and violent mutiny by Indian sepoys against the East India Company
3. One of the major cause was the English disregard to the religious sensitivities of the Hindu and Muslim Indian sepoys

Which of the statements given above is/are correct?

1. 1 and 2 only
2. 2 and 3 only
3. 1 and 3 only
4. 1, 2 and 3

Answer:

CHECK ANSWERS:-

Answer: b

Explanation:

- Statement 1 is not correct, The Vellore mutiny took place on 10 July 1806.
 - It predates Indian Revolt of 1857 by about half a century
- Statement 2 is correct, The Vellore mutiny, or Vellore Revolution was the first instance of a large-scale and violent mutiny by Indian sepoys against the East India Company
- Statement 3 is correct, One of the major cause was the English disregard to the religious sensitivities of the Hindu and Muslim Indian sepoys
- The immediate causes of the mutiny revolved mainly around resentment felt towards changes in the sepoy dress code.
- Hindus were prohibited from wearing religious marks on their foreheads while on duty, and Muslims were required to shave their beards and trim their moustaches.

Q3. Consider the following Pairs: (Level – Medium)

Helicopter

1. AH-64E Apache attack helicopter
2. Pole Star
3. CH-47 Chinook Helicopters
4. MI-35 helicopters

Country

- USA
UK
France
Russia

Which of the above is/are not correctly matched?

1. 3 only
2. 2 and 3 only
3. 1 and 2 only

4. 2 and 4 only

Answer:

CHECK ANSWERS:-

- Pair 1 is correct, AH-64E Apache attack helicopter belongs to USA
- Pair 2 is not correct, Pole Star or Dhruv is an advanced light helicopter (ALH) developed indigenously by Hindustan Aeronautics Limited (HAL)
- Pair 3 is not correct, CH-47 Chinook Helicopters belongs to USA

Pair 4 is correct, Mi-35M is a multi-role combat helicopter manufactured by Rostvertol, a subsidiary of Russian Helicopters.

Q4. With respect to National Clean Air Programme (NCAP), which of the following statements is/are correct? (Level – Medium)

1. 2015 is the base year for the National Clean Air Programme.
2. The programme is a pollution control initiative with a major goal of reducing the concentration of coarse and fine particulate matter in the atmosphere by at least 20% by the year 2030.

Options:

1. 1 only
2. 2 only
3. Both
4. None

Answer:

CHECK ANSWERS:-

- Statement 1 is not correct, 2017 is the base year for the National Clean Air Programme.
- Statement 2 is not correct, NCAP is a pollution control initiative with a major goal of reducing the concentration of coarse and fine particulate matter in the atmosphere by at least 20% by the year 2024.

Q5. Consider the following communication technologies: PYQ (2022)

1. Closed-circuit Television
2. Radio Frequency Identification
3. Wireless Local Area Network

Which of the above are considered Short-Range devices/technologies ?

1. 1 and 2 only

2. 2 and 3 only
3. 1 and 3 only
4. 1, 2 and 3

Answer:

CHECK ANSWERS:-

- Short Range Devices (SRD) are radio devices that offer a low risk of interference with other radio services, usually because their transmitted power, and hence their range, is low.
- The following are the various forms of Short Range Device
 - Alarms and movement detectors
 - Closed-circuit television (CCTV)
 - Cordless audio devices
 - Wireless Local Area Networks
 - Medical implants
 - Remote control
 - Radio frequency identification (RFID)

I. UPSC Mains Practice Questions

1. Explain with relevant examples the meaning of Kangaroo courts. (10 Marks, 150 Words) (GS II – Polity)
2. Section 69A of the IT Act, 2000, which allows the Centre to block public access to an intermediary requires reforms. Do you agree? Substantiate. (15 Marks, 250 Words) (GS II – Polity)