19th August 2022 COMPREHENSIVE NEWS ANALYSIS

A. GS 1 Related

Nothing here for today!!!

B. GS 2 Related

Category: GOVERNANCE

1. Information Technology Rules

Syllabus: Government policies-Issues Arising Out of Their Design & Implementation

Mains: Positive aspects and ambiguities of IT Rules

Context: The website of VideoLAN Client (VLC) has been banned in India.

What is VideoLan and why it is banned?

- VLC has been one of the most popular media players in India since the 1990s.
- It is free and open source and easily integrates with other platforms and streaming services and supports all file formats without requiring additional codecs.
- So far the Ministry of Electronics and Information Technology (MeitY) has not provided any satisfactory response to RTI applications filed by various civil society organizations regarding the ban.
- The lack of information from the government has led to speculation that VLC was banned along with the 54 Chinese applications in February 2022.
- Although VLC is not a Chinese app, several reports from cybersecurity firms suggested that Cicada, a hacker group allegedly backed by China, has been using the VLC to deploy a malicious malware loader.
- Only the VLC website has been banned and the application continues to be available for download as the app stores' servers are considered safer than servers where the desktop versions are hosted.

In which situations can online content be blocked to the public?

- Government can block the content through 2 routes - executive and judicial.
- **Executive:** The Government of India gets this power from [Section 69A of the Information Technology Act, 2000.](#)
- It allows the government to direct an intermediary to "block for access by the public any information generated, transmitted, received, stored or hosted in any computer resource in the

interest of sovereignty and integrity of India".

- Only the Central government can exercise this power of directing intermediaries to block access to online content directly.
- Reasonable restrictions under Article 19(2) of the Constitution empower Section 69A.
- **Judicial:** Courts in India can direct intermediaries to make content unavailable in India to provide effective remedies to the victim.
  - For example, courts may order internet service providers to block websites which provide access to pirated content and violate the plaintiff's copyright.

Way Forward: Reforms to IT Rules 2009

- **Provisions for improved transparency**: Confidentiality provisions of the rules must be revisited to introduce an element of transparency.
- **Equal opportunity** to affected parties in all cases to submit their argument in front of the committee under the rules. The lack of an opportunity to submit clarifications/replies by the creator/host violates the principles of natural justice.
- Effective review mechanism with relevant rules of procedure for the Review Committee under the rules.
- The Supreme Court in Shreya Singhal has upheld the procedure enshrined in IT Rules, 2009 on the basis that it provides for adequate application of mind and transparency. The government would do well to follow its own rules, in form as well as spirit.

Nut Graf: Considering the reach of the internet and its capability to cause significant harm to online users, governments across the world reserve the power to monitor and issue directions for regulation of the online content being available in their jurisdictions. Timely and relevant revisions to IT Rules will uphold free speech and also have some sort of censorship in place.

C. GS 3 Related

Category: DISASTER MANAGEMENT

1. Endosulfan Victims

Syllabus: Disaster and Disaster Management.

Mains: Significance of Judicial Activism

Context: Recently, the Kasargod District Legal Services Authority has been ordered by the Supreme Court to submit a report in six weeks on the medical and palliative care services offered to endosulfan victims in Kerala.

Issue: Rationale behind the order

- Numerous complaints have been filed regarding the Kerala state government's failure to offer adequate health care infrastructure to Endosulfan victims.
- The State government claims that 98% (over 3700 people) of the victims have received ₹5 lakh compensation as per the apex court's 2017 judgment.
- The Kerala government also argued that it has provided victims with access to the required medical facilities.

Kerala's case:

Kerala villages used aerial spraying of endosulfan on 4,600-ha. cashew nut plantation from the mid-1970s. Locals reportedly experienced illnesses, palsies and deformities and it affected the genetic and endocrine systems of the people.

Recent order by the Supreme Court:

- Kasargod district in Kerala, which became the focal point of insecticide pollution affecting thousands of households, was ordered to have the medical, palliative, and physiotherapy facilities examined by the legal services authority team.
- The team has been advised to visit district hospitals, community health centres, and primary health care facilities to obtain a complete and unbiased assessment of the situation on the ground.

Nut Graf: Supreme Court found the Kerala government's inaction on its 2017 judgment appalling and it is against the 'right to health' which forms a crucial component of the 'right to life' under Article 21 of the Indian Constitution.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: ECONOMY

1. Hard truths about India's labour reforms

Syllabus: Indian Economy and issues relating to employment.

Prelims: Facts about labour reforms in India

Mains: Critical evaluation of labour reforms in India

Context: Against the backdrop of 75 years of Independence, this article assesses and evaluates labour reforms in the country.

Background

- Several lakhs of citizens lost their sources of income and livelihood during the COVID pandemic. However, there has also been an increase in the number of billionaires in India during the same period.
- One of the biggest socio-economic challenges in India is the inability of lakhs of people to earn adequate income and livelihood.
- Poor quality of employment which includes inadequate incomes and harsh working conditions is said to be a key reason for this situation.
- According to various theories, it is believed that "employment can be increased by improving the ease of doing business, with the expectation that investments in businesses will improve citizens' ease of earning good livelihoods".
- Based on such theories various labour reforms and codes have been undertaken in India.

Labour reforms in India

- As "Labour" is a subject under the Concurrent List in India, the Union Government designed a framework and urged the States to implement the same.
- Labour laws encompass aspects such as payment of wages, safety conditions, social security, terms of employment, and dispute resolution.
- Rajasthan was the first state to introduce labour reforms.
- Labour reforms were then introduced and implemented in the rest of the states of India.

Know more about - [Labour Reforms in India](link)

Impact of labour reforms

The V.V. Giri National Labour Institute's report on "Impact Assessment Study of the Labour Reforms undertaken by the States" gives an idea about the impacts of labour reforms in India.

- The report notes that labour reforms are not the sole factor that impacts business investment decisions as investors do not employ more people just because it has become easy to remove them.
  - Companies are not only dependent on labour but also other factors such as growing market/demand for their products, capital, machinery, materials, land, etc.
- According to the report, labour reforms have had very little impact on increasing employment in large companies or firms.

- The report quoting the example of Rajasthan says that the effects of labour reforms cannot be known immediately as they take more time.
  - Rajasthan being the first to introduce such reforms seems to have benefitted the least from them.
- Further, the report highlights the fact that the percentage of employment in firms with more than 300 employees increased from **51.1% to 55.3%** between 2010-11 to 2014-15 when the emphasis was on administrative reforms.
  - However, the increase was found to be much lesser (from **55.3% to 56.3%** in 2017-18) at the time when States undertook various reforms.
- The report suggests that employment in formal enterprises is becoming more informal.
  - According to the report, "formal employment" means one that includes a written contract, grant of paid leave, and other social security benefits.
  - Along with the above benefits, the right to be heard and dignity at work must also be provided to employees.
- The report however does not highlight how reforms have helped workers.

Way forward

- According to reports, between 1980 and 1990, every 1% growth in the GDP growth resulted in the creation of over 2 lakh fresh employment opportunities.
  - From 1990 to 2000, it reduced to about 1 lakh fresh jobs and between 2000 to 2010, it dropped further to only 50,000.
  - This proves that growth in the GDP does not automatically translate into more incomes for the bottom classes of society.
  - In this context, key reforms in the theory of economic growth, employment and labour policies are needed to create better-quality livelihoods for Indian citizens.
- Further, there have to be efforts to assess the impacts of the already implemented labour reforms from the workers' perspectives as the main objective of these reforms is to safeguard the rights of workers.

Nut graf: *Labour reforms that involve changes in the current framework that govern employment and labour policies are required to create a better quality of income and livelihoods for people in India.*

Category: GOVERNANCE

1. Should there be limits on 'freebies'?

Syllabus: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Mains: Difference between freebies and welfare measures and the status of welfare spending in India

Background

- The Supreme Court in a recent hearing of a petition that sought to derecognise political parties that promised "irrational freebies to attract voters" highlighted the significant financial costs of freebies.
- The apex court held that a law ordering a blanket ban on freebies is not feasible but there is a need to balance the various welfare measures and loss to the public exchequer.
- The Supreme Court further suggested that freebies must not be confused with welfare measures and the difference between what can be termed freebies or welfare measures must be established.

Read more about - Supreme Court's Observations on the freebie issue in CNA dated Aug 3, 2022.

Difference between freebies and welfare measures

- There is a very thin line between what can be called freebies and welfare measures and it also depends on the perspective of an individual and where he stands in the income distribution pyramid.

  - A few measures (like free electricity) might seem like a freebie to a privileged individual but they might be important for the welfare of a poor individual.
- The Directive Principles guide the state policy to ensure the welfare of the citizens but it is difficult to differentiate between welfare and freebies.
- According to public policy and economic experts,
  - A **welfare measure** is a public policy intervention that has a long-term impact on production and productivity.
  - A **freebie** is a public policy intervention that doesn't support medium-term to long-term production and productivity.
- For distinguishing between welfare measures and freebies it is important to determine the long-term impact as well as identify the beneficiary sets of such policies.

To read more about "freebies politics" refer to the following article:

UPSC Exam Comprehensive News Analysis dated 20 Apr 2022

Welfare spending in India

- Welfare spending is said to be very low in India as compared to other developing or emerging economies.
- Studies by the Reserve Bank of India indicate that the social sector spending at the State levels has been reducing since 2014 despite being accorded more resources.

- Allocation to key sectors such as health and education has been very low and has further reduced.
  - Public spending on health and education was estimated to be 4.7% in India, while it is about 7% in much poorer countries of sub-Saharan Africa.
- With many states experiencing fiscal pressure post the pandemic, social or welfare spending would be further impacted in the country.

Feasibility of increasing tax to fund welfare measures

- The income tax base (less than 6% of the population) of the country has remained stagnant despite the economic growth in recent years.
- Experts believe that an increase in taxation helps in raising more revenues which helps in the redistribution of wealth. However, this will attract severe opposition from the individuals who pay these taxes.
- Further, India does not have tax instruments such as wealth tax, estate tax, inheritance tax, etc. with poverty tax being very low compared to other countries.
  - There is a great scope for increasing the revenues to the public exchequer by increasing property tax and levying wealth tax on high net worth individuals.

Way forward

- Along with the problems of distribution of freebies to the underprivileged the issues of providing various sops to the privileged class which includes bad loan waiver and reduction in corporate taxes needs to be addressed.
- Further, there is a need for revisiting the policies of distributing subsidies as there is a large share of non-merit subsidies being distributed currently across sectors. This will free up resources for welfare or social sector spending.

Nut graf: *The number of services that the Government provides to meet its constitutional obligations towards citizens is often seen to be confused with the 'freebies' culture and in this context, it is essential to draw a line between welfare measures and freebies.*

Category: INTERNATIONAL RELATIONS

1. Too good to be true

Syllabus: India and its neighbourhood- relations

Mains: Details about the Rohingya crisis

Context: The Urban Development Minister announced that the Rohingya migrants who are living in

makeshift slums in Delhi will be moved to flats with basic amenities.

Details

- The Urban Development Minister also said that the migrants would be provided various facilities and protection by the Delhi police.
- However, the Home Minister's Office reiterated that there are no such plans of moving Rohingya migrants and termed them "illegal foreigners".
- There has been a long-standing debate about managing 40,000 Rohingya migrants in India as India is not a signatory to the 1951 UN convention of refugees.

Nut graf: India which follows the principle of "vasudhaiva kutumbakam" must ensure that the Rohingya migrants are provided with better living conditions until they return home.

F. Prelims Facts

1. Karakoram Ranges

Prelims: *Geomorphology*

Context: Recently, China tested an air defense system near the India border in the Karakoram Plateau.

Key Details:

- China tested a short-range surface-to-air defense missile system in the "Karakoram plateau region" near the India border in a high altitude region above 4,500 m.
- It is a new type of HQ-17A short-range air defense missile with improvements made to the performance of its search and radar tracking ability.

About the Karakoram:

- The Karakoram is a mountain range in Kashmir spanning across China, India, and Pakistan with the northwest extremity of the range extending to Afghanistan and Tajikistan.
- Its highest peak of Karakoram, 'K2' is located in Gilgit-Baltistan.
- The Karakoram is bounded on the east by the Aksai Chin plateau, and on the northeast by the edge of the Tibetan Plateau. Pamir mountains are at the northwest corner. The southern boundary of the Karakoram is formed, west to east, by the Gilgit, Indus and Shyok rivers.
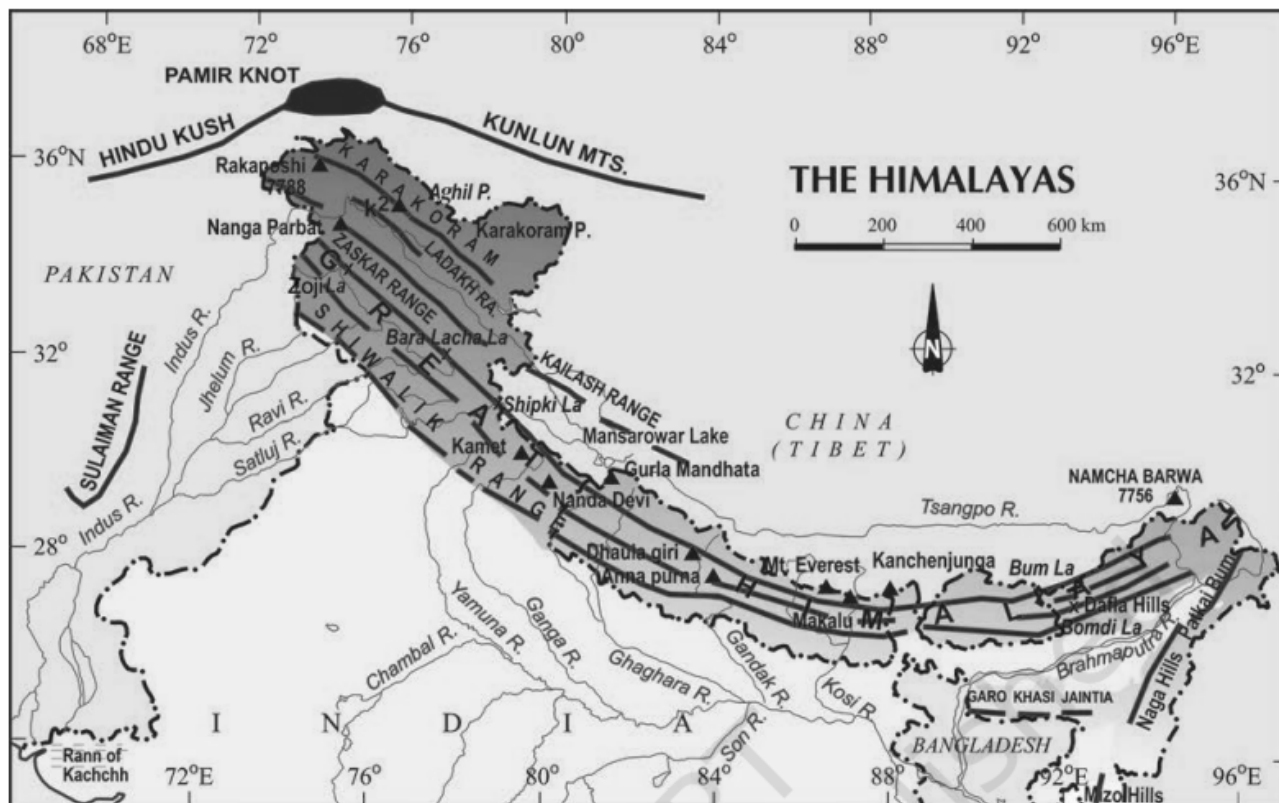
Image source: NCERT

2. Milk Adulteration

Prelims: Dairy Development Board, Adulterants

Context: The inflow of adulterated milk from Tamil Nadu into Kerala has increased in recent times.

Key Details:

- The presence of a high amount of urea was detected during routine testing done at the Dairy Development department laboratories in Kerala.
- During the Onam season, a large quantity of milk is being supplied to Kerala both from Tamil Nadu and Karnataka which are prone to adulteration.
- Several milk producers are adding chemicals, including urea, to a tolerable level to strengthen the milk.
- Urea is added to the milk so that the milk appears to have higher fat content than before. Thus it appears thick and pure and is mostly preferred by the people.
- Urea, being a natural constituent of raw milk, has a maximum limit imposed by PFA (Prevention of Food Adulteration) Rules 1955 and FSSAI Act 2006 which is to be 70 mg/100 ml.
- Other adulterants in milk mainly include the addition of vegetable protein, milk from different

species, the addition of whey and watering which are known as economically motivated adulteration.

G. Tidbits

1. Farmers Suicide

- 137 farmers committed suicide in Maharashtra in 45 days.
- They have committed suicide as they were affected by heavy rainfall and floods.
- The state government has announced ₹13,600 per hectare aid to the affected farmers.

H. UPSC Prelims Practice Questions

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

1. It is mainly performed during festivals in the region of Jharkhand, West Bengal and Odisha
2. Mayurbhanj Chhau Dance does not use masks.
3. Chhau dance was the first to be enlisted in the Representative List of Intangible Cultural Heritage of Humanity.

Which of the statements given above is/are correct?

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

Answer: a

Explanation:

- Tradition of Vedic chanting was added to the intangible cultural heritage of Humanity list in 2008. Chhau dance was added in 2010.

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

1. The first woman president of the Indian National Congress was Annie Besant.
2. New India was a daily newspaper published in India by Annie Besant

Options:

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

Answer: c

Explanation:

- Annie Besant was the first woman President of Indian National Congress. She presided over the 1917 Calcutta session of the Indian National Congress.
- Annie Besant started a newspaper called "New India" to highlight issues related to the freedom struggle in India.

Q3. Who among the following were the members of the Landholders' Society? (Level-Difficult)

1. Bhabani Charan Bandyopadhyay
2. Dwarkanath Tagore
3. Jadugopal Mukherjee
4. Kanailal Bhattacharjee
5. Prasanna Kumar Tagore
6. Radhakanta Deb
7. Ramkamal Sen

Options:

a) 1, 2, 3, 4 and 5 only
b) 2, 4, 5, 6 and 7 only
c) 1, 2, 5, 6 and7 only
d) 1, 3, 4, 6 and 7 only

Answer: c

Explanation:

- Landholder's Society formerly known as Zamindari Association was the first political association of modern India. It was launched in Calcutta in March 1838. Landlords like Raja radhakant dev, dwarkanath tagore, Prasanna Kumar Tagore, Ramkamal Sen and Bhabani Charan Mitra were its leading members.
- The promotion of landholders' interests through petitions to government and discreet persuasion of the bureaucracy was its main objective.
- The demand for reform of the judiciary, the police and the revenue departments was also on its

agenda.

Q4. Consider the following statements with respect to River Hooghly:(Level-Medium)

1. Fort William is located on the banks of the River Hooghly
2. Earlier it was known as the Sorrow of Bengal
3. It is formed by the junction of the Bhagirathi and Jalangi rivers at Nabadwip

Which of the statements given above is/are correct?

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

Answer: b

Explanation:

- Fort William is a fort in Hastings, Calcuta. It was built during the early years of the Bengal Presidency of British India. It sits on the eastern banks of the Hooghly River.
- River Damodar is known as the 'Sorrow of Bengal' because of its destructive floods in the plains of West Bengal.
- River Hooghly is formed by the junction of the Bhagirathi and Jalangi rivers at Nabadwip. From there the Hugli flows generally south to the Bay of Bengal, through a heavily industrialized area in West Bengal.

Q5. Which of the following is/are the exclusive power(s) of Lok Sabha? (Level-Easy)

1. To ratify the declaration of Emergency
2. To pass a motion of no-confidence against the Council of Ministers
3. To impeach the President of India

Select the correct answer using the code given below:

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

Answer: b

Explanation:

- The Lok Sabha has certain powers that make it more powerful than the Rajya Sabha. Motions of no confidence against the government can be introduced and passed in the Lok Sabha only. The Council of Ministers is not responsible to the Rajya Sabha. Therefore, a no-confidence motion cannot be introduced in the Rajya Sabha.
- The proclamation of emergency must be approved by both the houses of parliament within one month from the date of its issue.
- Both houses of the parliament can initiate the motion to impeach the President of India.

I. UPSC Mains Practice Questions

1. There needs be to a fine balance between National Security and Freedom of speech. Elaborate in the context of Information Technology Act, 2000. (250 words-15 marks) (GS-2, Polity)
2. Is there merit in the idea of setting up a commission to ensure efficient use of public finances in India? Critically analyze. (250 words; 15 marks) (GS-2, Governance)