

19 Nov 2022: UPSC Exam Comprehensive News Analysis

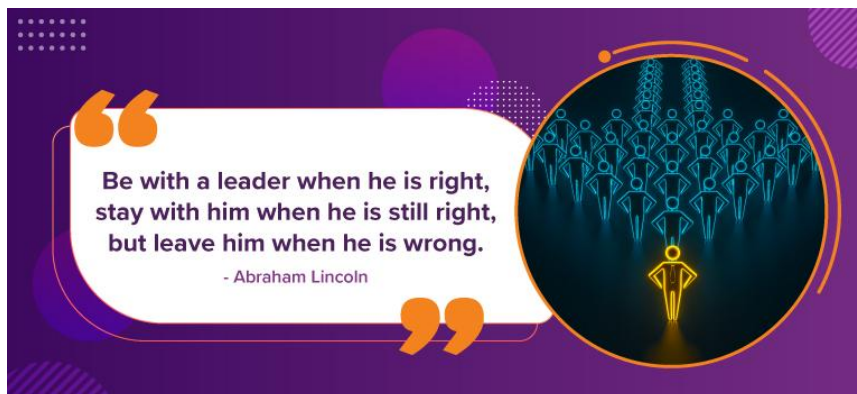


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Nothing here for today!!!

B. GS 2 Related

Category: GOVERNANCE

1. Draft digital data protection Bill tabled for public comments

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

Prelims: About the Digital Personal Data Protection Bill, 2022

Mains: Important provisions and Significance of Digital Personal Data Protection Bill, 2022

Context: The shortened and revised version of the draft Bill on digital personal data protection has been tabled by the government for public and stakeholder comments.

Digital Personal Data Protection Bill, 2022

Bill's ambit

The draft Bill narrows the scope of the data protection regime to personal data protection – a move welcomed by the industry



THIS ACT APPLIES TO:

- Personal data collected from users online
- Data collected offline, but later digitised

THE ACT EXCLUDES:

- Personal data processed by an individual for personal or domestic purpose
- Recorded personal data in existence for at least 100 years

Image Source: The Hindu

- The key objective of the draft Bill as mentioned is to provide for the processing of digital personal data in a manner that recognises the right of individuals to protect their personal data as well as the need to process personal data for lawful purposes.
- The Bill also aims to create a relationship of trust between the **Data Principal** (the person to whom personal data belongs) and the **Data Fiduciary** (the entity deciding the means and purpose of processing personal data).
- Further, the Bill also provides for establishing the **Data Protection Board of India** and lays down detailed functions of the Board.
- Acknowledging the industry concerns against the [Personal Data Protection Bill, 2019](#), the government in the new draft Bill has narrowed the scope of the data protection regime to only personal data protection and has left out non-personal data from its purview.
- The latest draft Bill proposes to impose a hefty fine of ₹10,000 on individuals providing false information while applying for any document, service, etc. or registering a false or false complaint with a Data Fiduciary or the Board.
- The new draft Bill has also conceded significant concessions on cross-border data flows and proposes that the Union government will notify countries or territories outside India along with terms and conditions to which a Data Fiduciary may transfer personal data.
- The Bill also accords the government the power to grant exemption from the provisions of the Bill in the interest of the **sovereignty and integrity of India** and in order to maintain **public order**.

The draft Bill on the Consent of Individuals

- The Bill mandates that the consent of the individual must be made the basis for the processing of their personal data, except in such cases where seeking the consent of the Data Principal is impracticable or inadvisable.
- Also, all such requests made for consent must be presented to the Data Principal in a clear and plain language and an option must also be provided to access these requests in English or any other language listed under the [Eighth Schedule to the Constitution](#).
- The government has further introduced the concept of “Consent Managers” through the draft Bill wherein the consent manager platform will help individuals view and monitor their interactions with Data Fiduciaries and the consent given to them.

The use of “she” or “her” to refer to all individuals

- For the first time in India, the draft Digital Personal Data Protection Bill, 2022, has used the pronouns “she” and “her” to refer to individuals of all genders as against generally used “he”, “him” and “his”.
- Speaking of this, the Union Minister for Electronics & Information Technology said that the usage of pronouns “she” and “her” are in line with the government’s vision of women's empowerment.

Nut graf: After the withdrawal of the Personal Data Protection Bill from Parliament, the government has released the revised draft Bill for consultation called the Digital Personal Data Protection Bill. However, digital rights activists opine that the Bill still has a lot of grey areas and requires multiple iterations before implementation.

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: INDIAN POLITY

1. The Governor is under the Constitution, not above it

Syllabus: State legislature- conduct of business, powers and privileges, and issues arising out of these.

Mains: Governor's power as an executive head.

Prelims: Constitutional provisions associated with Governor.

Context: Governor's interventions in the day-to-day business of state administration.

Details:

It has been argued by the author that there is an erosion of constitutional provision, ethos, and morality by the conduct of a few Governors in the recent past. The author brings out the constitutional provisions and debates of the past in support of his argument. These debates highlight the role, powers, and duties of Governors.

Background Details:

- Article 153 of the Indian Constitution provides a Governor for each State, and as per Article 154, the executive power of the State shall be vested in the Governor.
- Article 154(2)(a) prohibits the Governor from exercising any function “conferred by existing law on any other Authority”.

- Article 163 explicitly states that there shall be a council of ministers with the [Chief Minister](#) as a head, to aid and advise the Governor (subject to a few exceptions).
- In *Shamsher Singh vs State of Punjab and Anr. case (1974)*, Supreme Court ruled that:
 - In accordance with Article 166, the Governor should make rules for the more convenient transaction of the business of the government of the State. These are called Rules of Business.
 - It was further amplified that wherever the Constitution requires satisfaction of the President/Governor implies the “satisfaction of the President/Governor in the Constitutional sense under the Cabinet system of the Government”.
 - Moreover, the discretion conferred on the Governor will only be exercised against the aid and advice of the council of ministers under [Article 356](#). In all other matters, the Governor's acts of discretion should be in harmony with his Council of Ministers.
 - It was highlighted that the Constitution does not aim to provide a parallel administration and the elected Ministers must accept responsibility for every executive act. It was reiterated that the Council of Ministers alone represents a responsible form of government in the States.

Historical Debates associated with Governor's Power:

- It was debated by Prof. K.T. Shah that the Governor should use his power in accordance with the Constitution and Law, more specifically with the aid and advice of ministers.
- It was also hotly debated whether the Governor should be appointed by the [President](#) or should be elected. The Constituent Assembly decided in favour of an appointment by the President, so as to avoid the chances of parallel administration.
- Several other experts like B.G. Kher and P.K. Sen supported a good Governor with friendly interventions to uphold democracy.
- K.M. Munshi inferred that Governor should be nominated by the Centre and he should be free from the passions and jealousies of local politics.
- Dr. B. R. Ambedkar held the view that if according to the Constitution the Governor has to follow the advice of his ministry in all matters then there should not be an objection to his nomination.
- In the Constituent Assembly, while debating Articles 163 and 167 (earlier 143 and 147 respectively), Dr. B. R. Ambedkar and T. T. Krishnamachari (member of the drafting committee) clarified that the Governor should abide by the advice of his ministers and the discretionary powers conferred on him are limited.

***Nut Graf:** The debates and the constitutional provisions clearly highlight that the Governor has no powers to interfere with the state administration in day-to-day affairs and even the discretionary powers of the Governor are limited.*

Category: SECURITY

1. Yes, the Indian Air Force needs a new doctrine

Syllabus: Various security forces and their mandate.

Mains: Indian Air Force Doctrine.

Details:

- Due to the Atmanirbhar Bharat campaign, there is a lot of improvement in the field of Defence inventory. However, there are certain issues associated with the Indian Air Force (IAF) doctrine.
- The doctrine is defined as ‘the best way of doing a thing’. It involves various inputs like past experience, present capability, technological research and development capacity, human resource availability, and an organizational environment.

Issues with Indian Air Force Doctrine and Way Ahead:

- The IAF doctrine has become old as it was devised in 2012. It needs to be reviewed and made public for the future development of India’s air power.
- The incorporation of ongoing advancement in the field of technology like artificial intelligence, machine learning, etc. remains elusive in the current scenario.
- Space will be a major player in future conflicts due to the weaponization of space. It should be noted that the experiences of the past centuries show that the force that occupies a ‘higher ground’ is in an advantageous position. Thus the roles and missions of the IAF should be reassessed. It is necessary to emphasize unmanned platforms and space assets including satellite capabilities.
- IAF’s future needs a doctrinal foundation because of its niche strike capability, Airborne Intelligence, Surveillance and Reconnaissance (ISR), and precision attack capabilities.
- India faces a two-front threat from its neighbours (China and Pakistan).
- IAF will be a crucial component in multi-domain power synchronization that involves operations related to cyber, space, electromagnetic spectrum, etc. to meet national objectives.
- The IAF’s new doctrine should accept and acknowledge the fact that to encourage new thoughts and strengthen, the human resource personnel should feel secure.
- The new IAF doctrine should also highlight that ‘national defence’ is a national endeavour and there should be little political interference from the higher authorities.
- Importance should also be given to combat enablers like [Airborne Warning and Control Systems](#), transport and helicopter fleets, radars, communication systems, aerial refuellers, etc. apart from focusing only on fighter aircraft.

- These are also vital for humanitarian assistance and disaster relief operations that are essential for military diplomacy and foreign policy.

Nut Graf: *The security environment is challenging in the present scenario and the Indian Air Force doctrine needs to be reassessed. It is not only important in terms of security aspects but also for the military diplomacy and foreign policy of India.*

F. Prelims Facts

1. Sweet, not protein, in bamboo fruits triggers rat boom

Syllabus: *GS-3; Environment*

Prelims: *About Melocanna baccifera and rat floods in Northeast India*

Context: A study that lasted for about 13 years has revealed the association of the flowering in *Melocanna baccifera* (a tropical bamboo species) with the occurrence of bamboo death, rat floods and famines in Northeast India.

Details

- The study has helped to find a correlation between the sugar content in the fruit of *Melocanna baccifera* and the population boom in rats during the “Mautam” which refers to cyclical, mass bamboo flowering that occurs once in 48 years.
- Researchers found out that a large variety of animals or predators are attracted by the fruit and flowers of this *Melocanna baccifera* species of bamboo.
- *Melocanna baccifera* is referred to as “Muli” in Northeast India.
 - It is the largest fruit-producing bamboo species and is native to the northeast India-Myanmar region.



Image Source: The Hindu

Fruit of *Melocanna baccifera*

- During the flowering season of this bamboo species, large amounts of fruits are produced which attract various animals which also includes Black Rats.
 - These Black Rats relish the fleshy, berry-like fruit and also multiply rapidly. This phenomenon is called “rat flood”.
- After the fruits are emptied, these rats then start feeding on standing crops in the region which causes famines impacting thousands of human lives.
- It was assumed that “high protein in fruits/seeds” attracted these rats. However, the study by JNTBGRI researchers has revealed that the fruit contains very little protein and it is the high sugar content that attracts rats.
- This study, which has highlighted the fruit’s chemistry, has a significant role in analysing predation and has helped to link predation to rat flood.

G. Tidbits

1. SC rejects petition to create independent environment service

- The Supreme Court refused to intervene and order the government to establish an independent Indian Environment Service under the scope of the All India Service cadre as recommended by the **T.S.R. Subramanian Committee report** in 2014.
- The petitioner had urged the court to create an independent Indian Environment Service in order to curb large-scale environmental degradation.
- The petitioner had held that even the [National Green Tribunal \(NGT\)](#) had suggested the creation of a specialised all-India service.
- The Supreme Court pointed out that the Union government had already responded that it does not intend to take any more steps in this regard while rejecting the petition.

2. Aadhaar norms for prisoners simplified; Home Ministry calls for camps at all prisons for enrolment or update

- The [Unique Identification Authority of India \(UIDAI\)](#) has agreed to accept the Prisoner Induction Document as a valid document for Aadhaar enrolment or update. This has simplified the process of making Aadhaar available to prisoners across the country.
- According to the [National Crime Records Bureau \(NCRB\)](#), there were about 1,319 prisons in the country with a total of over 5.5 lakh inmates as of December 31, 2021.
- **Section 57** of the Aadhaar Act, 2016, allows the use of the Aadhaar number for establishing the identity of an individual for any purpose.
- The Aadhaar saturation level in India has crossed 93%, and it is close to 100% among the adult population and regular enrolment camps are being conducted in coordination with the State governments at the jails for facilitating the enrolment or update of Aadhaar.
- The use of Aadhaar is expected to help regulate the day-to-day administration of prisons which includes monitoring the production of prisoners to court and their return, transport, health facilities, interviews, free legal aid, parole, and education or vocational training facilities.

3. N. Korea's ICBM, with range to strike entire U.S., lands near Japan's waters

- North Korea has fired an Intercontinental Ballistic Missile (ICMB) that landed close to Japanese waters recently which is the second major weapons test within a one-month

duration that showcases the capability to launch nuclear strikes on all of the U.S. mainland.

- As per the experts, the recent launch involved the longest-range missile, which is still under development and is designed to carry multiple nuclear warheads to overcome U.S. missile defence systems.
- North Korea's recent tests aim to advance its nuclear arsenal and win greater concessions in future diplomacy and the tests have been conducted at a time when China and Russia have criticised the U.S. moves to toughen UN sanctions on curbing the North's nuclear programme.
- The U.S. has condemned the launch and has assured to take all measures to guarantee the safety of its territory and its allies South Korea and Japan.
- Experts believe that North Korea tested a developmental **Hwasong-17 missile**, which is capable of carrying three to five nuclear warheads with a range of about 15,000 km.
- Further, North Korea also has two other ICBMs that can potentially reach parts or all of the U.S. homeland.

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with regards to the Supreme Court of India: (Level – Easy)

1. While the Chief Justice of India is the judicial head of the Supreme Court, the President of India plays the role of the administrative head of the Court.
2. President of India exercises the prerogative of allocating cases to particular benches.
3. The Chief Justice decides the number of judges that will hear a case.

Choose the correct code:

- a) One statement is correct
- b) Two statements are correct
- c) All statements are correct
- d) None of them

Answer: a

Explanation:

- **Statement 1 is not correct**, The **Chief Justice of India** as the “Master of Roster” is both the judicial as well as the administrative head of the Supreme Court.
- **Statement 2 is not correct**, The **Chief Justice of India** is responsible for the allocation of cases to particular benches.

- **Statement 3 is correct**, The Chief Justice of India decides the number of judges and even its composition of a bench that will hear a case.

Q2. Consider the following statements with regards to the Nuclear non-proliferation treaty: (Level – Medium)

1. The Treaty represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States.
2. Safeguards are used to verify compliance with the Treaty through inspections conducted by the IAEA.
3. More countries have ratified the NPT than any other arms limitation and disarmament agreement.

Choose the correct code:

- a) 1 & 3 only
- b) 2 & 3 only
- c) 1 only
- d) All of the above

Answer: d

Explanation:

- **Statement 1 is correct**, The NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States.
- **Statement 2 is correct**, The Treaty establishes a safeguards system under the responsibility of the International Atomic Energy Agency (IAEA).
 - Safeguards are used to verify compliance with the Treaty through inspections conducted by the IAEA.
- **Statement 3 is correct**, More countries have ratified the NPT than any other arms limitation and disarmament agreement

Q3. Consider the following statements with regards to the 2022 FIFA world cup: (Level – Medium)

1. This is the first football world cup to be hosted in Asia.
2. FIFA has suspended Russia from international competitions "until further notice", including its participation in the 2022 FIFA World Cup.
3. The tournament's official mascot is named 'Al-Rihla', which is an Arabic word meaning "super-skilled player".

Choose the correct code:

- a) None of the statements is correct
- b) Only one statement is correct
- c) Only two statements are correct
- d) All the statements are correct

Answer: b

Explanation:

- **Statement 1 is not correct**, The 2022 FIFA world cup will be the **first World Cup to be held in the Arab countries** and the **second instance** to be held entirely in Asia after the 2002 tournament in South Korea and Japan.
- **Statement 2 is correct**, FIFA has suspended Russia from international competitions "until further notice", including its participation in the 2022 FIFA World Cup.
- **Statement 3 is not correct**, The Official Mascot for the Qatar 2022 World Cup has been revealed and he is a super-skilled football player called "**La'eeb**".
 - The official match ball for the 2022 FIFA World Cup is named "**Al Rihla**" by Adidas which means "the journey" in Arabic and is inspired by the culture, architecture, iconic boats and flag of Qatar.

Q4. Which of the following organizations publishes the 'State of the economy' report? (Level – Easy)

- a) Reserve Bank of India
- b) NITI Aayog
- c) FICCI
- d) Finance Ministry

Answer: a

Explanation:

- The "State of the economy" Report is published by the **Reserve Bank of India (RBI)**.

Q5. The Preamble to the Constitution of India is (Level – Easy) PYQ (2020)

- a) A part of the Constitution but has no legal effect
- b) Not a part of the Constitution and has no legal effect either
- c) A part of the Constitution and has the same legal effect as any other part
- d) A part of the Constitution but has no legal effect independently of other parts

Answer: d

Explanation:

Case	Judgement
A.K. Gopalan vs State of Madras (1950)	The Supreme Court ruled that Preamble is not enforceable in a court of law.
Berubari Union (1960)	The Supreme Court ruled that Preamble is not a part of the Indian Constitution however, it helps in interpretation of the clauses of the Constitution.
Keshavananda Bharti vs State of Kerala (1973)	The Supreme Court ruled that the Preamble is a part of the Indian Constitution.
Union Government Vs LIC of India (1995)	The Supreme Court once again held that Preamble is the integral part of the Constitution but is not directly enforceable in a court of justice in India.

I. UPSC Mains Practice Questions

1. [With the help of the Constituent Assembly debates, shed light on the Gubernatorial role, powers, and duties.](#) (10 Marks, 150 words) (GS-2; Polity)
2. [Faced with a challenging security environment, the advent of new technologies and the issue of scarce finance, the IAF needs a revised guiding document to help it navigate ahead smoothly. Substantiate.](#) (10 Marks, 150 words) (GS-3; Defence)