

GOVERNANCE**Official Secrets Act 1923**

Recently, Delhi police has arrested a strategic affairs analyst under the Official Secrets Act (OSA), 1923 for passing information such as the deployment of Indian troops on the border to Chinese intelligence officers.

Key Points**Official Secrets Act:**

- OSA broadly deals with two aspects — spying or espionage and disclosure of secret information of the government.
- However, the OSA does not define the secret information, the government follows the Manual of Departmental Security Instructions, 1994 for classifying a document as secret.
- Generally secret information includes any official code, password, sketch, plan, model, article, note, document, or information.
- If guilty, a person may get up to 14 years' imprisonment, a fine, or both. Both the person communicating the information and the person receiving the information can be punished under the OSA.

Background:

- OSA has its roots in the British colonial era. The Indian Official Secrets Act (Act XIV), 1889 was brought in, with the objective of muzzling the voice of a large number of newspapers that had come up in several languages, and were opposing the British policies.
- The Act XIV was amended and made more stringent in the form of The Indian Official Secrets Act, 1904, during Lord Curzon's tenure as Viceroy of India.
- In 1923, a newer version was notified, the Indian Official Secrets Act (Act No XIX of 1923).
- It was extended to all matters of secrecy and confidentiality in governance in the country.

Issues Involved:

- Conflict with Right to Information Act: It has often been argued that the OSA is in direct conflict with the Right to Information (RTI) Act, 2005.
- Section 22 of the RTI Act provides for its primacy vis-a-vis provisions of other laws, including OSA. So if there is any inconsistency in OSA with regard to furnishing of information, it will be superseded by the RTI Act.
- However, under Sections 8 and 9 of the RTI Act, the government can refuse information. Effectively, if the government classifies a document as secret under OSA, that document can be kept outside the ambit of the RTI Act, and the government can invoke Sections 8 or 9.
- Misinterpretation of Breach of National Security: Section 5 of OSA, which deals with potential breaches of national security, is often misinterpreted.
- The Section makes it a punishable offence to share information that may help an enemy state.
- The Section comes in handy for booking journalists when they publicise information that may cause embarrassment to the government or the armed forces.

Suggestions Made:

- In 1971, the Law Commission in its report on 'Offences Against National Security', observed that merely because a circular is marked secret or confidential, it should not attract the provisions of the OSA if the publication thereof is in the interest of the public and no question of national emergency and interest of the State as such arises.
- The Law Commission, however, did not recommend any changes to the OSA.
- In 2006, the 2nd Administrative Reforms Commission (ARC) recommended that OSA be repealed, and replaced with a chapter in the National Security Act, 1980 containing provisions relating to official secrets.
- It observed that OSA was unsuitable with the regime of transparency in a democratic society.
- In 2015, the government had set up a committee to look into provisions of the OSA in light of the RTI Act which submitted its report in June 2017, recommending that OSA be made more transparent and in line with the RTI Act.

Way Forward

The definition of "secret" needs to be clearly defined in the OSA, so that there is no scope of misinterpretation. Also there is a need for OSA to be brought in line with the RTI Act.

SCIENCE AND TECHNOLOGY**Artemis Programme: NASA**

The National Aeronautics and Space Administration's (NASA) published the outline for its Artemis program, which plans to send the next man and first woman to the lunar surface by the year 2024.

- The last time NASA sent humans to the Moon was in 1972, during the Apollo lunar mission.

Key Points

The Artemis program:

- With the Artemis program, NASA wishes to demonstrate new technologies, capabilities and business approaches that will ultimately be needed for the future exploration of Mars.
- It stands for Acceleration, Reconnection, Turbulence, and Electrodynamics of the Moon's Interaction with the Sun.

The program is divided into three parts:

- Artemis I is most likely to be launched 2021 and involves an uncrewed flight to test the Space Launch System (SLS) and Orion spacecraft.
- Artemis II will be the first crewed flight test and is targeted for 2023.
- Artemis III will land astronauts on the Moon's South Pole in 2024.

Systems Developed:

For NASA, going to the moon involves various elements such as:

- The exploration ground systems (the structures on the ground that are required to support the launch),
- The Space Launch System (SLS) and Orion (the spacecraft for lunar missions).
- NASA's new rocket called SLS will send astronauts aboard the Orion spacecraft.
- Gateway (the lunar outpost around the Moon),
- Lunar landers (modern human landing systems),
- Once the astronauts dock Orion at the Gateway — which is a small spaceship in orbit around the moon — they will be able to live and work around the Moon, and from the spaceship, will take expeditions to the surface of the Moon.
- The astronauts going for the Artemis program will wear newly designed spacesuits, called Exploration Extravehicular Mobility Unit, or xEMU.
- These spacesuits feature advanced mobility and communications and interchangeable parts that can be configured for spacewalks in microgravity or on a planetary surface.

NASA and the Moon

- The US began trying to put people in space as early as 1961. Eight years later, on 20th July, 1969, Neil Armstrong along with Edwin "Buzz" Aldrin became the first human to step on the Moon as part of the Apollo 11 mission.
- Apart from the purpose of space exploration, NASA's endeavour to send Americans to the Moon again is to demonstrate American leadership in space and to establish a strategic presence on the Moon, while expanding the US global economic impact.

Moon Exploration

- In 1959, the Soviet Union's uncrewed Luna 1 and 2 became the first rover to visit the Moon.
- Before the USA sent the Apollo 11 mission to the Moon, it sent three classes of robotic missions between 1961 and 1968.
- After July 1969, 12 American astronauts walked on the surface of the Moon until 1972.
- In the 1990s, the USA resumed lunar exploration with robotic missions Clementine and Lunar Prospector.
- In 2009, it began a new series of robotic lunar missions with the launch of the Lunar Reconnaissance Orbiter (LRO) and the Lunar Crater Observation and Sensing Satellite (LCROSS).
- In 2011, NASA began the ARTEMIS.
- In 2012, the Gravity Recovery and Interior Laboratory (GRAIL) spacecraft studied the Moon's gravity.
- Apart from the USA, the European Space Agency, Japan, China, and India have sent missions to explore the Moon. China landed two rovers on the surface, which includes the first-ever landing on the Moon's far side in 2019.

ISRO's Moon Exploration:

Chandrayaan 1:

- The Chandrayaan project began in 2007 with an agreement between India's space agency ISRO and Russia's ROSCOSMOS for mutual cooperation.
- However, the mission was postponed in January 2013 and rescheduled to 2016 as Russia was unable to develop the lander on time.

- Findings: Confirmed presence of lunar water.
- Evidence of lunar caves formed by an ancient lunar lava flow.
- Past tectonic activity was found on the lunar surface.
- The faults and fractures discovered could be features of past interior tectonic activity coupled with meteorite impacts.
- **Chandrayaan-2** is India's second mission to the moon and comprises a fully indigenous Orbiter, Lander (Vikram) and Rover (Pragyan).
- The Rover Pragyan is housed inside Vikram lander.
- The Indian Space Research Organisation (ISRO) recently announced India's third lunar mission Chandrayaan-3, which will comprise a lander and a rover.

ENVIRONMENT AND DIVERSITY

Zombie Fires

According to a new study, the fire regimes in the Arctic are changing rapidly, with 'zombie fires' becoming more frequent in addition to fires occurring in the once-frozen tundra.

Key Points

Features:

- **Zombie Fire:** It is a fire from a previous growing season that can smoulder under the ground which is made up of carbon-rich peat. When the weather warms, the fire can reignite. These are also known as holdover fires.
- The fires in the Arctic spreading to areas which were formerly fire-resistant is a more worrying feature.
- The tundra is drying up and vegetation there like moss, grass, dwarf shrubs, etc are starting to catch fire.
- The tundra is a cold region of treeless level or rolling ground found mostly north of the Arctic Circle or above the timberline on mountains.
- In 2019 and 2020, burning occurred well above the Arctic Circle, a region not normally known to support large wildfires. Wildfires on permafrost in Siberia south of the Arctic are not uncommon.
- **Reasons:** The reason for this anomaly is that temperatures in winter and spring were warmer than usual during 2019-20.
- Temperature in Siberia in 2020 had gone through the roof, with the region recording a severe heatwave.
- Nearly all of this year's fires inside the Arctic Circle occurred on continuous permafrost, with over half of these burning on ancient carbon-rich peat soils.

Impact:

- The fires and record temperatures had the potential of turning the carbon sink into a carbon source and increasing global warming.
- The Arctic region has a cold body of water and permafrost, it naturally acts as a carbon sink. On average it absorbs 58 megatons of CO₂ a year in its cold water.
- Soils in areas of permafrost contain twice as much carbon as there is currently in the atmosphere.
- As the climate and permafrost soils have warmed, microbes have started to break down this organic carbon, which has been frozen and fixed in the permafrost. That has led to a rise in land emissions of CO₂ and methane.
- Also there will be less absorption of carbon by water with rising temperature.
- It will be a feedback loop: As peatlands release more carbon, global warming increases, which thaws more peat and causes more wildfires.
- Arctic fires will affect the global climate over the long term depending on what they burnt. That's because peatlands, unlike boreal forest, do not regrow quickly after a fire, so the carbon released is permanently lost to the atmosphere.

Arctic Region

- The Arctic region, or the Arctic, is a geographic region spreading around the North Pole.
- The Arctic Circle (66° 33'N) delimits the Arctic in terms of solar radiation.
- Based on temperature, the monthly average temperature in the Arctic is below + 10°C throughout the year, even in summer.
- The Arctic contains vast stores of carbon and other planet-warming greenhouse gases in its soils, in peat as well as frozen soil that can be freed up through combustion.

- Peatlands are wetlands that contain ancient, decomposed and partially decomposed organic matter.
- Nearly half the world's peatland-stored carbon lies between 60 and 70 degrees north, along the Arctic Circle.
- Arctic Permafrost: It is ground that remains completely frozen at 0 degrees Celsius or below for at least two years and is defined solely based on temperature and duration.
- It is composed of rock, sediments, sand, dead plant and animal matter, soil, and varying degrees of ice and is believed to have formed during glacial periods dating several millennia.
- It is mainly found near the polar zones and regions with high mountains covering parts of Greenland, Alaska, Russia, Northern Canada, Siberia and Scandinavia.
- Permafrost is the most threatened by climate change, Arctic regions are warming twice as fast compared to the rest of the planet, its current rate of temperature change being the highest in 2,000 years.

Way Forward

- There is an urgent need to understand the nature of fires in the Arctic which are evolving and changing rapidly.
- This study has urged global cooperation, investment and action in monitoring fires. It has called for learning from the indigenous peoples of the Arctic about how fire was traditionally used.
- New permafrost- and peat-sensitive approaches to wildland firefighting are needed to save the Arctic.

INDIAN ECONOMY

PCA Decision on Retrospective Taxation by India

The Permanent Court of Arbitration (PCA) at The Hague (Netherlands) ruled that India's retrospective imposition of a tax liability, as well as interest and penalties on Vodafone Group for a 2007 deal was violation of the Bilateral Investment Treaty with Netherlands and the arbitration rules of United Nations Commission on International Trade Law (UNCITRAL).

Key Points

About the Case:

- In May 2007, the British telecommunication company Vodafone Group had bought a 67% stake in a company called Hutchison Whampoa.
- For this, the Indian government for the first time raised a demand of capital gains and withholding tax from Vodafone, under the Income Tax Act of 1961. The government argued that Vodafone should have deducted the tax at source before making a payment to Hutchison.

Capital gains tax :

- It is the tax paid on income that derives from the sale or exchange of an asset, such as a stock or property that's categorized as a capital asset.
- In 2012, the Supreme Court ruled in favour of the Vodafone Group.
- Later, the Finance Act was amended (2012) giving the Income Tax Department the power to retrospectively tax such deals.
- Vodafone then initiated arbitration in 2014 invoking the Bilateral Investment Treaty signed between India and the Netherlands in 1995.

Ruling:

- The International Arbitration Tribunal at Permanent Court of Arbitration ruled that the government's demand is in breach of fair and equitable treatment.
- The government must cease seeking the dues from Vodafone.
- This was a unanimous decision meaning that India's appointed arbitrator also ruled in favour of Vodafone.

Future Course for India:

- India has said it would study the order and all its aspects and take a decision on further course of action including legal remedies before appropriate fora.
- According to Indian Government, as Vodafone had not paid the initial tax demand and interest and penalty on it, the question of India paying back the amount does not arise.
- India has the option to move to Singapore International Arbitration Centre as well.

Retrospective Taxation:

- It allows a country to pass a rule on taxing certain products, items or services and deals and charge companies from a time behind the date on which the law is passed.

- Countries use this route to correct any anomalies in their taxation policies that have, in the past, allowed companies to take advantage of such loopholes.
- Retrospective Taxation hurts companies that had knowingly or unknowingly interpreted the tax rules differently.
- Apart from India, many countries including the USA, the UK, the Netherlands, Canada, Belgium, Australia and Italy have retrospectively taxed companies.

Bilateral Investment Treaty:

- On 6th November, 1995, India and the Netherlands had signed a BIT for promotion and protection of investment by companies of each country in the other's jurisdiction.
- The two countries would ensure that companies present in each other's jurisdictions would at all times be accorded fair and equitable treatment and shall enjoy full protection and security in the territory of the other.
- The BIT between India and the Netherlands expired on 22nd September, 2016.
- Relation to Vodafone Case: Vodafone invoked BIT as its Dutch unit, Vodafone International Holdings BV, had bought the Indian business operations of Hutchison Telecommunication International Ltd. This made it a transaction between a Dutch firm and an Indian firm.

United Nations Commission on International Trade Law:

- UNCITRAL was established in 1966 as a subsidiary body of the United Nations General Assembly (UNGA).
- It is the core legal body of the United Nations system in the field of international trade law.
- Mandate: To further the progressive harmonization and modernization of rules on international business and reform commercial laws.
- It adopted the UNCITRAL Model Law on International Commercial Arbitration in 1985 and the UNCITRAL Conciliation Rules in 1980.
- The UNGA has recommended the use of the said Model Law and Rules in cases where a dispute arises in the context of international commercial relations and the parties seek an amicable settlement of that dispute by recourse to conciliation.
- India has also incorporated these uniform principles of Arbitration and Dispute Resolution (ADR) in the Arbitration and Conciliation Act, 1996 which has been amended several times.
- The Arbitration Act provides for ADR mechanisms like arbitration, conciliations, etc. for national and international stakeholders.

Significance

- Vodafone's win in the arbitration against the government in the retrospective taxation is very significant as it may cause other similarly placed companies to seek arbitral reliefs.
- India is entangled in more than a dozen such cases against companies over retrospective tax claims and cancellation of contracts. The exchequer could end up paying billions of dollars in damages if it loses.
- To reduce future arbitration claims, India has ended such bilateral investment agreements with over 50 countries and is working on a new law to protect foreign investors by offering relief from possible policy changes even as it upholds the right to tax them.
- The victory of Vodafone at PCA may provide it some relief as the telecom sector is already facing a number of issues and challenges. The ruling comes days after the Supreme Court allowed a period of 10 years for telecom companies to clear Adjusted Gross Revenue (AGR) related dues, causing heavy financial burden on the telecom sector.

International Arbitration Tribunal

- It is an independent non-governmental panel of independent and impartial experts.
- It generally comprises three members nominated by the Parties (or appointed by the International Arbitration Institution, or by a National Court) on the basis of their legal and practical expertise and knowledge, to render a final and binding award.

Permanent Court of Arbitration

- Established in: 1899.
- **HQ: The Hague, Netherlands.**
- **Purpose:** It is an intergovernmental organization dedicated to serve the international community in the field of dispute resolution and to facilitate arbitration and other forms of dispute resolution between States.
- **Structure:** The PCA has a three-part organizational structure consisting of:
- Administrative Council - to oversee its policies and budgets,

- Members of the Court - a panel of independent potential arbitrators, and
- International Bureau - its Secretariat, headed by the Secretary-General.
- **Funds:** It has a Financial Assistance Fund which aims at helping developing countries meet part of the costs involved in international arbitration or other means of dispute settlement offered by the PCA.

Way Forward

- India needs to craft meaningful and clear dispute resolution mechanisms in cross-border transactions to prevent the disputes from going to international courts, and save the cost and time expenditure. Improving the arbitration ecosystem will have a positive impact on ease of doing business.

AGRICULTURE

Agripreneurship Programme

Recently, the Ministry of Rural Development (MoRD) has celebrated the foundation day of Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDU-GKY) as “Kaushal Se Kal Badhenge” on the occasion of Antyodaya Diwas (25th September).

Key Points

Inaugurations and New Releases:

- Agripreneurship (entrepreneurship in agriculture) Programme.
- Agripreneurship is defined as generally, sustainable, community-orientated, directly marketed agriculture.
- Sustainable agriculture denotes a holistic, systems-oriented approach to farming that focuses on the interrelationships of social, economic, and environmental processes.

Guidelines regarding Captive Employment under DDU-GKY.

- Captive employers are businesses which can employ 500 or more in their own organisation or one of their subsidiaries and have suitable in-house training facilities.
- Guidelines for Promotion of Integrated Farming Cluster (IFC).
- Integrated Farming is a combined approach aimed at efficient sustainable resource management for increased productivity in the cropping system.
- It has multiple objectives of sustainability, food security, farmer's security and poverty reduction by involving livestock, vermicomposting, organic farming, etc.
- Memorandum of Understanding (MoU) for capacity building of Farmer Producer Organisations (FPOs)/StartUps and providing incubation support in rural areas.

Deen Dayal Upadhyaya Grameen Kaushalya Yojana

- MoRD announced it on Antyodaya Diwas in 2014.
- It is a demand-driven placement linked skill training initiative working under the National Rural Livelihood Mission (NRLM).
- It uses skill training and placement in wage employment as a tool to diversify income and enable sustained upward movement out of poverty.
- DDU-GKY is uniquely focused on rural youth between the ages of 15 and 35 years from poor families.

Achievements:

- Under DDU-GKY, 10.51 lakh rural youth have been trained and 6.65 lakh successfully placed so far.
- All stakeholders need to bring more rural youths under DDU-GKY, who are interested to become independent and bring a change in society.

Significance:

- DDU-GKY and integrated farming initiatives for rural development across the country are important for greater success in skilling and placing the rural youth.
- DDU-GKY has played a significant role in the context of Aatmanirbhar Bharat through skilling.

Antyodaya Diwas

- Every year, 25th September is observed as Antyodaya Diwas to mark the birth anniversary of Pandit Deendayal Upadhyaya, one of the great thinkers and philosophers of the nationalist movement of the country.
- The Government of India announced it for the first time in 2014 along with the Deendayal Antyodaya Yojana.

- Antyodaya means "uplifting the poorest of the poor" and the day aims to reach the person in the last mile.

IMPORTANT FACTS FOR PRELIM

Jnanpith Award

Renowned Malayalam poet Akkitham Achuthan Namboothiri was conferred the 55th edition of the Jnanpith Award.

Key Points

About the Award:

- It has achieved the recognition of the highest literary award of the country.
- English along with other Indian languages is considered for the Award.
- The Award is open for only Indian citizens and is given annually.
- The prize carries a cash award of Rs. 11 lakhs, a citation, and a bronze replica of Vagdevi (Saraswati), the goddess of learning.
- It is sponsored by the cultural organization Bharatiya Jnanpith.
- In 2019, author Amitav Ghosh was felicitated with 54th Jnanpith Award. He became the first English language writer to become a Jnanpith laureate.

About Poet Akkitham:

- Akkitham is the sixth writer to bag the Jnanpith Award for Malayalam literature. In 1965, famous Malayalam writer G Sankara Kurup became the first winner of the Jnanpith Award.
- He is instrumental in heralding modernism in Malayalam poetry.
- He is the only living poet being called Mahakavi (great poet) in Malayalam.
- He has contributed seminal works such as Pathalathinte Muzhakkam, Irupatham Noottandinte Ithihasam, and Balidarshanam.
- His work Balidarshanam won the State and Central Sahitya Akademi Awards in 1972-73.
- He was awarded Padmashri in 2017.
- He has also been bestowed with Ezhuthachan Award (the highest literary honour of the Kerala government), Odakkuzhal Award (given to literary works in Malayalam), and several other honours. Swachh Bharat Mission.

DAILY ANSWER WRITING PRACTICE

Qns. "The true enemy of good isn't evil but fear. Evil will battle good, but fear will corrupt it".

Comment. (150 words)

Ans.

At the basic level fear guides our fight or flight responses and helps to keep us safe and alive. Fear heightens our senses and awareness; it keeps us alert and helps in better preparation. However, the other side of fear is that it holds us back from doing something positive.

Fear is a feeling or sense that imbibed in to the mind of a person due to certain danger of threat to his or her life or any other precious-valuable thing in his/her life.

- When a person tries to do some good in the society he/she may have to face fear due to numerous problems. e.g. A person who runs an old age home and runs it through charity of people, might face fear due to demand of money by some local goons.
- In this scenario the fear of survival if overpowered might lead to closure of old age home. This in turn has corrupted the good.
- Fear to speak against corruption acts will not only question the moral standards of a person but it will also pose a question on the integrity of that person.
- For instance, a civil servant is well aware of corruption in her/his department, but chose not to speak against it, in the fear that she/he might lose her/his job.
- Fear to act against unjust will question the courage of the person and will pose a threat to the survival of good by corrupting it. e.g. Onlookers seeing a girls getting molested and acting in silence cowards who are fearful of speaking out.

Hence, it becomes imperative to overcome fear if we want a free, fair and just society. Overcoming the fear will not only help to do good but also it will help it to save good from getting corrupted.

- Martin Luther king jr. spoke against the racial discrimination and demanded an end to racial segregation in the USA, also asked for equality in jobs and civil rights. This mere act of speaking against injustice without fear has culminated in to good for the people of African origin in the USA.

- Ashok Khemaka, IAS has been transferred 53 times, due to the fact that he spoke and stood up against the corruption in various departments. This mere act of courage shows the innate good nature of speaking against corruption without fear.
- This act of speaking against corruption has helped in two ways, as it never let a person's spirit down to act against evil and it also helped to have a greater impact for welfare of the disadvantaged sections of people.
- Hence, overcoming fear will not only help to do good but it will also help to remove out the corruption in good.

Conclusion:

While speaking about the fear Mahatma Gandhi has once said that all fear is the baseless fabric of our own vision. Therefore, Removing the fear from the minds and speaking-acting for good will help to have a harmonious societal life.

DAILY QUIZ

1. Recently in the news, Dharma Guardian is an annual joint military exercise between?
 - a) India and Myanmar
 - b) India and Japan**
 - c) India and South Korea
 - d) India and Bangladesh
2. Regarding the National Medical Commission (NMC), consider the following statements:
 1. It is a statutory body constituted to replace the Medical council of India (MCI).
 2. NMC will function as the country's top regulator of medical education.
 Which of the statements given above is/are correct?
 - a) 1 only
 - b) 2 only
 - c) Both 1 and 2**
 - d) Neither 1 nor 2
3. Which of the following have been identified as Domestic Systemically Important Insurers (D-SIIs) for 2020-21?
 1. The Life Insurance Corporation of India (LIC)
 2. General Insurance Corporation of India
 3. The New India Assurance Co Ltd
 Select the correct answer using the code given below:
 - a) 1 and 3 only
 - b) 2 and 3 only
 - c) 1 and 2 only
 - d) 1, 2 and 3**
4. With reference to Permanent Court of Arbitration, consider the following statements:
 1. It is an independent non-governmental dispute resolution organization located at Hague.
 2. It is an allied body of the United Nations.
 Which of the above statements is/are correct?
 - a) 1 only
 - b) 2 only
 - c) Both 1 and 2
 - d) Neither 1 and 2**
5. With reference to the Leuser Ecosystem, consider the following statements:
 1. It is among the most ancient rainforest areas in South America.
 2. The ecosystem has been designated a UNESCO World Heritage Site.
 Which of the statements given above is/ are correct?
 - a) 1 only
 - b) 2 only**
 - c) Both 1 and 2
 - d) Neither 1 nor 2