

GOVERNANCE**Data Protection in India**

Recently, the Ministry of Electronics and IT (MeitY) has sent a notice to WhatsApp.

Asking it to withdraw a controversial update to its privacy policy which might be a threat to Data Protection of Indians.

Key Points**About the Issue:**

- According to WhatsApp's updated privacy policy, users would no longer be able to stop the app from sharing data (such as location and number) with its parent Facebook unless they delete their accounts altogether.
- Its privacy updates are designed to make the business interactions that take place on its platform easier while also personalising ads on Facebook. That is how it will have to make its money.
- According to the Government, the messaging app discriminates against Indian users vis-à-vis users in Europe on the matter of a choice to opt-out of the new privacy policy.
- WhatsApp users in Europe can opt-out of the new privacy policy owing to the laws in the European Union (EU) called the General Data Protection Regulation (GDPR), which shield them from sharing data from Facebook or grant them the power to say no to WhatsApp's new terms of service.

Data Protection (Meaning):

- Data protection is the process of safeguarding important information from corruption, compromise or loss. Data is the large collection of information that is stored in a computer or on a network.
- The importance of data protection increases as the amount of data created and stored continues to grow at unprecedented rates.

Need:

- According to the Internet and Mobile Association of India (IAMAI)'s Digital in India report 2019, there are about 504 million active web users and India's online market is second only to China.
- Large collection of information about individuals and their online habits has become an important source of profits. It is also a potential avenue for invasion of privacy because it can reveal extremely personal aspects. Companies, governments, and political parties find it valuable because they can use it to find the most convincing ways to advertise to you online.

Laws for Data Protection across the Globe:

- European Union: The primary aim of the General Data Protection Regulation (GDPR) is to give individuals control over their personal data.
- US: It has sectoral laws to deal with matters of digital privacy such as the US Privacy Act, 1974, Gramm-Leach-Bliley Act etc.

Initiatives in India:

- **Information Technology Act, 2000:**
 1. It provides for safeguard against certain breaches in relation to data from computer systems. It contains provisions to prevent the unauthorized use of computers, computer systems and data stored therein.
- **Personal Data Protection Bill 2019:**
 1. The Supreme Court maintained the right to privacy as a fundamental right in the landmark decision of K.S. Puttaswamy v. Union of India 2017 after which the Union government had

- appointed Justice B.N. Srikrishna Committee for proposing skeletal legislation in the discipline of data protection.
2. The Committee came up with its report and draft legislation in the form of the Personal Data Protection Bill, 2018.
 3. In 2019, Parliament again revised the Bill and much deviation from the 2018 Bill was evident. The new Bill was named as Personal Data Protection Bill, 2019. The purpose of this Bill is to provide for protection of privacy of individuals relating to their Personal Data and to establish a Data Protection Authority of India for the said purposes and the matters concerning the personal data of an individual.

Concerns Related to Personal Data Protection Bill 2019:

- It is like a two-sided sword. While it protects the personal data of Indians by empowering them with data principal rights, on the other hand, it gives the central government with exemptions which are against the principles of processing personal data. The government can process even sensitive personal data when needed, without explicit permission from the data principals.

Way Forward

- In this digital age, data is a valuable resource that should not be left unregulated. In this context, the time is ripe for India to have a robust data protection regime.
- It is time that requisite changes are made in the Personal Data Protection Bill, 2019. It needs to be reformulated to ensure that it focuses on user rights with an emphasis on user privacy. A privacy commission would have to be established to enforce these rights.
- The government would also have to respect the privacy of the citizens while strengthening the right to information. Additionally, the technological leaps made in the last two to three years also need to be addressed knowing that they have the capacity of turning the law redundant.

INDIAN CULTURE

Six Sites in Tentative List of World Heritage Sites

Recently, six Indian places have been added to the tentative list of UNESCO's (United Nations Educational, Scientific and Cultural Organization) world heritage sites. The submissions were made by Archaeological Survey of India, which is responsible for the conservation and preservation of Indian monuments.

Key Points

Tentative List:

- As per Operational Guidelines, 2019 of UNESCO, it is mandatory to put any monument/site on the Tentative List (TL) for one year before it is considered for the final nomination dossier. Once the nomination is done, it is sent to the World Heritage Centre (WHC).
- India has 48 sites in the TL as of now.

World Heritage Site:

- Any of various areas or objects inscribed on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List.
 - The sites are designated as having "outstanding universal value" under the Convention Concerning the Protection of the World Cultural and Natural Heritage 1972. The World Heritage Centre is the Secretariat to the 1972 Convention.
 - It provides a framework for international cooperation in preserving and protecting cultural treasures and natural areas throughout the world.
 - **There are three types of sites: Cultural, Natural, and Mixed.**
1. Cultural heritage sites include hundreds of historic buildings and town sites, important archaeological sites, and works of monumental sculpture or painting.

2. Natural heritage sites are restricted to those natural areas that have excellent ecological and evolutionary processes, unique natural phenomena, habitats of rare or endangered species etc.
3. Mixed heritage sites contain elements of both natural and cultural significance.
 - India has 38 world heritage sites, including 30 cultural properties, 7 natural properties and 1 mixed site. The latest one included is Jaipur city, Rajasthan.

About New Six Places in TL:

1. **Satpura Tiger Reserve (Madhya Pradesh):**Home to 26 species of the Himalayan region including reptiles, and 42 species of Nilgiri areas. It is the largest tiger-occupied forest and also has the largest tiger population.
2. **Ghats of Varanasi (Uttar Pradesh):**The ghats date back to the 14th century but most were rebuilt, along with Varanasi, in the 18th century by Maratha rulers.They have special significance in Hindu mythology, and are primarily used for bathing and Hindu religious rituals.
3. **Megalithic Site of Hire Benkal (Karnataka):**This 2,800-years-old megalithic site is one of the largest prehistoric megalithic settlements where some funerary monuments are still intact.The granite structures are burial monuments that may also have served many ritual purposes. Due to the extremely valuable collection of Neolithic monuments, the site was proposed for recognition.
4. **Maratha Military Architecture in Maharashtra:**There are 12 forts in Maharashtra dating back to the era of the 17th century Maratha king Chhatrapati Shivaji. They are Shivneri, Raigad, Torna, Rajgad, Salher-Mulher, Panhala, Pratapgad, Lohagad, Sindhudurg, Padmadurga, Vijaydurg and Kolaba.
5. These forts offer new insight in various forms of architecture including rock cut features, construction of perimeter walls in layers on hill tops and slopes, temples, palaces, markets, residential areas, and almost every form of medieval architecture.
6. **Bhedaghat-Lametaghat in Narmada Valley- Jabalpur (Madhya Pradesh):**Bhedaghat, referred to as the Grand Canyon of India, is a town in the Jabalpur district.It is known for its marble rocks and their various morphological forms on either side of the Narmada river which flows through the gorge.Several dinosaur fossils have been found in the Narmada valley, particularly in the Bhedaghat-Lameta Ghat area of Jabalpur.River Narmada narrows down on its way through marble rocks and plunges in a waterfall giving out the appearance of a smoke cascade.
7. **Temples of Kanchipuram (Tamil Nadu):**Kanchipuram is known for its spirituality, serenity, and silk.It is situated on the banks of River Vegavathi.This historical city once had 1,000 temples, of which only 126 (108 Shaiva and 18 Vaishnava) now remain.Its rich legacy has been the endowment of the Pallava dynasty, which made the region its capital between the 6th and 7th centuries and lavished upon its architectural gems that are a fine example of Dravidian styles.

INTERNATIONAL RELATION

BRICS Astronomy Working Group (BAWG) Meeting

Recently, India virtually hosted the 7th meeting of the BRICS Astronomy Working Group (BAWG) under the Science, Technology, and Innovation track of the BRICS 2021.

Key Points

BRICS:

- BRICS is an acronym for the grouping of the world's leading emerging economies, namely Brazil, Russia, India, China and South Africa.
- In 2001, the British Economist Jim O'Neill coined the term BRIC to describe the four emerging economies of Brazil, Russia, India, and China.The grouping was formalised during the first meeting of BRIC Foreign Ministers' in 2006.South Africa was invited to join BRIC in December 2010, after which the group adopted the acronym BRICS.
- India has assumed the BRICS Presidency from January 2021.

Structure:

- BRICS does not exist in the form of organization, but it is an annual summit between the supreme leaders of five nations.
- The Chairmanship of the forum is rotated annually among the members, in accordance with the acronym B-R-I-C-S.

Cooperation Mechanism:

Cooperation among members is achieved through:

1. Track I: Formal diplomatic engagement between the national governments.
2. Track II: Engagement through government-affiliated institutions, e.g. state-owned enterprises and business councils.
3. Track III: Civil society and People-to-People engagement.

Areas of Cooperation:

- **Economic Cooperation:**Agreements have been concluded in the areas of Economic and Trade Cooperation; Innovation Cooperation, Customs Cooperation; strategic cooperation between the BRICS Business Council, Contingent Reserve Agreement and the New Development Bank.
- **People-to-People Exchange:**This seeks to forge new friendships; deepen relations and mutual understanding between BRICS peoples in the spirit of openness, inclusiveness, diversity and mutual learning.Such People to people exchanges include the Young Diplomats Forum, Parliamentarian Forum, Trade Union Forum, Civil BRICS as well as the Media Forum.
- **Political and Security Cooperation:**This is aimed at achieving peace, security, development and cooperation for a more equitable and fair world.BRICS is utilised as a driver for South Africa's foreign policy priorities including the pursuit of the African Agenda and South-South Cooperation.

About BRICS Astronomy Working Group:

- It provides a platform for BRICS member countries to collaborate in the field of astronomy, recommending that the focal points in each country should present the scientific results of the work being carried out in each country.
- This will help seek funding support to realize the flagship project whenever funding opportunities are announced by BRICS funding agencies.
- At the meeting, the members indicated future directions of research in this area such as building network of intelligent telescope and data network, study of transient astronomical phenomena in universe, big data, artificial intelligence, machine learning application to process the voluminous data generated now a days due to enhance multi-wavelength telescope observatory.

Way Forward

BRICS did well in its first decade to identify issues of common interests and to create platforms to address these issues.For BRICS to remain relevant over the next decade, each of its members must make a realistic assessment of the initiative's opportunities and inherent limitations.

INDIAN ECONOMY**Personal Guarantors Liable for Corporate Debt**

The Supreme Court of India has upheld the Central Government 2019 notification that allows lenders to initiate insolvency proceedings against personal guarantors.

Key Points**Background:**

- **Definition:** A personal guarantor is a person or an entity that promises payment of another person's debt, in case the latter fails to pay it off.

- **Central Government Notification 2019:** It brought personal guarantors to companies facing insolvency proceedings under the purview of the Insolvency and Bankruptcy Code (IBC). Section 1(3) of the IBC code allows the central government to notify different provisions of the code at different dates, to allow its implementation bit by bit. These rules and regulations lay down the process for initiating insolvency resolution and bankruptcy proceedings against personal guarantors to corporate debtors, inviting claims from creditors, withdrawal of such applications, etc.
- **Simultaneously Proceedings:** The new rules and regulations will allow creditors to simultaneously proceed against the principal borrower, i.e. the company, and the personal guarantor before the National Company Law Tribunal (NCLT). Until now, the IBC code only covered insolvency resolution and liquidation of corporate debtors.
- **Counter Argument:** The Central Government did not have the power to bring in IBC provisions selectively to personal guarantors of corporate debtors. The singling out of guarantors is violative of the fundamental right to equality.

Supreme Court Verdict:

- **Intrinsic Connection:** There was an “intrinsic connection” between personal guarantors and their corporate debtors. Section 60(2) of the IBC Code had required the bankruptcy proceedings of corporate debtors and their personal guarantors to be held before a common forum, the NCLT.
- **Adjudicating Authority:** The adjudicating authority for personal guarantors will be the NCLT if a parallel resolution process is pending in respect of a corporate debtor for whom the guarantee is given. The side by side bankruptcy proceedings before the same forum for both the corporate debtors and their personal guarantors would help the NCLT consider the whole picture.

Concept of Guarantee:

The concept of ‘guarantee’ is derived from Section 126 of the Indian Contracts Act, 1872.

1. A contract of guarantee is made among the debtor, creditor and the guarantor.
2. If the debtor fails to repay the debt to the creditor, the burden falls on the guarantor to pay the amount.
3. The creditor reserves the right to begin insolvency proceedings against the personal guarantor if the latter does not pay.

Possible Benefits:

- By initiating the insolvency proceedings against personal guarantors, there is a greater likelihood that they would “arrange” for the payment of the debt to the creditor bank in order to obtain a quick discharge.
- The creditor bank would be prepared to take a haircut or forego the interest amounts so as to enable an equitable settlement of the corporate debt, as well as that of the personal guarantor.
- It would result in maximising the value of assets and promoting entrepreneurship.

IMPORTANT FACTS FOR PRELIM

Kyasanur Forest Disease

This disease is also known as monkey fever. A new point-of-care test has been found to be highly sensitive in the rapid diagnosis of Kyasanur Forest Disease (KFD).

Key Points

Point-of-care Test:

- **About:**
 1. It is developed by Indian Council of Medical Research (ICMR)-National Institute of Virology.

2. It includes a battery-operated Polymerase Chain Reaction (PCR) analyser, which is a portable, lightweight and universal cartridge-based sample pre-treatment kit and nucleic acid extraction device that aid in sample processing at the point of care.
- **Benefits:**
1. It would be beneficial for the diagnosis of KFD as the outbreaks mainly happen in remote areas, where there is lack of well-equipped sample handling and laboratory testing facilities.
 2. It would be useful in quick patient management and controlling further spread of the virus.

Kyasanur Forest Disease:

- **About:** It is caused by Kyasanur Forest disease Virus (KFDV), which primarily affects humans and monkeys. It was first identified in 1957 in a sick monkey from the Kyasanur Forest in Karnataka. Since then, between 400-500 human cases per year have been reported. Eventually, KFD emerged as a grave public health problem spreading through the entire Western Ghats.
- **Transmission:** In nature, the virus is maintained mainly in hard ticks (*Haemaphysalis spinigera*), monkeys, rodents and birds. To humans, it may occur after a tick bite or contact with an infected animal (a sick or recently dead monkey).
- **Symptoms:** Characterised by chills, frontal headache, body ache, and high fever for five to 12 days with a case fatality rate of 3 to 5%.
- **Diagnosis:** Diagnosis can be made in the early stage of illness by molecular detection by PCR or virus isolation from blood. Later, serologic testing using Enzyme-linked Immunosorbent Serologic Assay (ELISA) can be performed.
- **Treatment and Prevention:** There is no specific treatment for monkey fever. A vaccine (Formalin inactivated KFDV vaccine) does exist for KFD and is used in endemic areas of India. However, it is found that vaccines are not effective once the person is infected with fever.

DAILY ANSWER WRITING PRACTICE

Qns. Contrary to popular perception, India's sex ratio at birth declined even as per capita income increased. Discuss.

Ans:

Introduction

- India's sex ratio at birth declined even as per capita income increased nearly 10 times over the last 65 years, according to an IndiaSpend analysis of government data. The recently published Sample Registration System (SRS) Report 2018 shows the same that that sex ratio at birth in India, declined from 906 in 2011 to 899 in 2018.
- This could be because rising income, which results in increased literacy, makes it easier for families to access sex-selective procedures. This can be corroborated by the fact that many Indian cities has high economic growth but lower figures on sex ratio than rural areas.

Body

Despite improved per capita income in India, skewed sex ratio in India continue to exist due to perpetuation of patriarchal attitudes and discriminatory cultural practices:

- **Continuation of Gender Bias:** According to information from the UNPFA, reasons for female infanticide include anti-female bias, as women are still seen as subservient to men, who often employ positions of power. As a result, girls continue to suffer educational, health and nutritional discrimination.
- **Son-Preference:** In addition, despite numerous efforts to inculcate the idea of gender equality in India, parents still believe they will be better taken care of in their old age by men, as men are perceived as the principal wage earners of the family.
- **Social Practices:** Despite banning dowry and making it a criminal offense, the dowry system is still prevalent in India. Parents of girls are still required to pay a dowry, which could be a massive

expense, avoided by raising males. In many cases dowry is taken even if the bride itself is economically self independent.

- **Accessibility to postnatal sex selection techniques:** India recorded more than thirteen excess deaths for every 1000 girls under five years of age. This is the highest rate of female deaths in under the age of five years in the world. Better income and awareness of postnatal sex selection techniques may be attributed for this dismal picture.

Other Issues Related to Lower Sex Ratio at Birth

- **Gender-imbalance:** Prof. Amartya Kumar Sen, in his world famous article “Missing Women?” has statistically proved that during the last century, 100 million women have been missing in south Asia. This is due to discrimination leading to death, experienced by them from womb to tomb in their life cycles. An adverse child sex ratio is also reflected in the distorted gender makeup of the entire population.
- **Distortion in the Marriage System:** Adverse ratio results in a gross imbalance in the number of men and women and its inevitable impact on marriage systems as well as other harms to women. In India, some villages in Haryana and Punjab have such poor sex ratios that men “import” brides from other States. This is often accompanied by the exploitation of these brides. There are concerns that skewed sex ratios lead to more violence against both men and women, as well as human-trafficking.

Measures Needed To Improve The Lower Sex Ratio At Birth.

- **Bringing Behavioural Change:** Increasing female education and economic prosperity help to improve the ratio. In this pursuit, the government’s Beti-Bachao Beti Padhao Campaign has achieved remarkable success in bringing behavioural change in the society.
- **Sensitizing Youth:** There is an urgent need to reach young people for reproductive health education and services as well as to cultivate gender equity norms. For this, the services of Accredited Social Health Activist (ASHA) can be leveraged, especially in rural areas.
- **Stringent Enforcement of Law:** India must implement the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994 more stringently and dedicate more resources to fighting the preference for boys. In this context, the Drugs Technical Advisory Board decision to include ultrasound machines in the Drugs and Cosmetics Act, 1940 is a step in the right direction.

Conclusion

Although India has created several impressive goals to reduce its population growth rates, India and the rest of the world has a long way to go to achieve meaningful population policy which are not only based on quantitative control but qualitative control as well.

DAILY QUIZ

Q1. Consider the following statements regarding Unified Payments Interface (UPI).

1. Unified Payments Interface (UPI) is an instant real-time payment system developed by RBI.
2. It provides 2 Factor Authentication.
3. It is necessary to have a credit/debit card to perform UPI transaction.

Which of the above statements is/are incorrect?

- a. 1 and 2 only
- b. 1 and 3 only
- c. 3 only
- d. 2 and 3 only

Q2. With reference to the 'National Intellectual Property Rights Policy', consider the following statements:

1. It reiterates India's commitment to the Doha Development Agenda and the TRIPS Agreement.
2. Department of Industrial Policy and Promotion is the nodal agency for regulating intellectual property rights in India.

Which of the above statements is/are correct?

- a. 1 only
- b. 2 only
- c. **Both 1 and 2**
- d. Neither 1 nor 2

Q3. Consider the following statements:

1. According to the Indian Patents Act, a biological process to create a seed can be patented in India.
2. In India, there is no Intellectual Property Appellate Board.
3. Plant varieties are not eligible to be patented in India.

Which of the statements given above is/are correct?

- a. 1 and 3 only
- b. 2 and 3 only
- c. **3 only**
- d. 1, 2 and 3

Q4. The Dahla Dam is located in

- a. Bangladesh
- b. **Afghanistan**
- c. Iran
- d. Iraq

Q5. Consider the following statements:

The Environment Protection Act, 1986 empowers the Government of India to

1. state the requirement of public participation in the process of environmental protection, and the procedure and manner in which it is sought
2. lay down the standards for emission or discharge of environmental pollutants from various sources

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