

GOVERNANCE
Exemption from Personal Data Protection (PDP) Law

The Unique Identification Authority of India (UIDAI) has asked for exemption from the Personal Data Protection (PDP) Law (Data Protection Bill 2019).

Key Points

Privacy Law: It is commonly referred to as the “Privacy Bill” and intends to protect individual rights by regulating the collection, movement, and processing of data that is personal, or which can identify the individual.

- It derives its inspiration from a previous draft version prepared by a committee headed by retired Justice B N Srikrishna.
- The Supreme Court in the Puttaswamy judgement (2017) held that the right to privacy is a fundamental right.

Provisions:

- The Bill gives the government powers to authorise the transfer of certain types of personal data overseas and has given exceptions allowing government agencies to collect personal data of citizens.
- The Bill divides the data into three categories and mandates their storage depending upon the type.
 1. **Personal Data:** Data from which an individual can be identified like name, address, etc.
 2. **Sensitive Personal Data:** Some types of personal data like financial, health-related, sexual orientation, biometric, genetic, transgender status, caste, religious belief, and more.
 3. **Critical Personal Data:** Anything that the government at any time can deem critical, such as military or national security data.
- It mandates data fiduciaries to provide the government with any non-personal data when demanded.
 1. Data Fiduciary may be a service provider who collects, stores and uses data in the course of providing such goods and services.
 2. Non-Personal Data refers to anonymised data, such as traffic patterns or demographic data.
- A Data Protection Authority has been envisaged for ensuring the compliance of the law.
- It also mentions ‘Right to be Forgotten.’ It states that the “data principal (the person to whom the data is related) shall have the right to restrict or prevent the continuing disclosure of his personal data by a data fiduciary”.

Issues Involved:

- If Personal Data Protection (PDP) Law is implemented in the present form, it may create two distinct ecosystems.
 1. One with the government agencies who will be completely out of the ambit of the law, giving them complete freedom to deal with the personal data.
 2. The second will be private data fiduciaries who will have to deal with every letter in the law.
- **Section 35:** It invokes “sovereignty and integrity of India,” “public order”, “friendly relations with foreign states” and “security of the state” to give powers to the Central government to suspend all or any of the provisions of this Act for government agencies.
- **Duplicity:** Section 12 of the Act gives UIDAI some leeway from the rigours of the Bill as it enables for processing data for provision of a service or benefit to the data principal. However, even then prior notice has to be given.
 1. The UIDAI authority is already being governed by the Aadhaar Act and there cannot be duplicity of laws.
 2. The Supreme Court (SC) in 2018 struck down the national security exception under the Aadhaar Act. It indirectly ensures greater privacy of an individual's Aadhaar data while restricting the government accessibility to it.
- Data Localization

Unique Identification Authority of India (UIDAI)

- It is a statutory authority established on 12th July 2016 by the Government of India under the jurisdiction of the Ministry of Electronics and Information Technology, following the provisions of the Aadhaar Act 2016.
- The UIDAI is mandated to assign a 12-digit unique identification (UID) number (Aadhaar) to all the residents of India.
- The UIDAI was initially set up by the Government of India in January 2009, as an attached office under the aegis of the Planning Commission.

SOCIAL ISSUE

Protocol to Prevent Human Trafficking: SCO

Recently, the Shanghai Cooperation Organisation (SCO), in its 19th meet (of Prosecutors General) held in New Delhi, adopted a protocol to strengthen cooperation in preventing and combating growing menace of human trafficking, especially women and children.

The current chair of SCO is Tajikistan.

SCO

- It was founded at a summit in Shanghai in 2001 by the presidents of Russia, China, the Kyrgyz Republic, Kazakhstan, Tajikistan and Uzbekistan.
- Presently, it comprises nine member states namely India, Kazakhstan, China, the Kyrgyz Republic, Pakistan, the Russian Federation, Tajikistan, Uzbekistan and Iran.
 1. India was made an observer at the SCO in 2005.
 2. India and Pakistan became its permanent members in 2017.
 3. Iran was granted full membership in the SCO Summit 2021.
- It is headquartered in Beijing, China.
- RATS (Regional Anti-Terrorist Structure) is a permanent organ of the SCO, headquartered in Tashkent, Uzbekistan.
- The summit is held annually and chairmanship goes to the member states for a year on rotation basis.

Key Points

Human Trafficking:

- Human trafficking involves recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, for the purpose of exploitation.
- Exploitation include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or the removal of organs.

About the Protocol:

- Calls for continuation of exchange of national legislation to combat the menace of trafficking in persons.
- Seeks to provide protection and assistance to victims of trafficking within their competence.
- Calls for developing cooperation between the educational organisations of the SCO member states in the field of advanced training of prosecutors, whose competence include combating trafficking in persons especially, women and children.

Relevant Laws in India:

- Immoral Traffic (Prevention) Act 1956 is the premier legislation to deal with this issue.
- Article 23 and 24 (Right Against Exploitation) of the Constitution of India.
- 25 sections in IPC such as 366A, 366B, 370 and 374.
- The Juvenile Justice Act and the Information Technology (IT) Act and also the Prevention of Child Labour Act, the Bonded Labour (Abolition) Act, among others.

India's Efforts in Combating Human Trafficking:

- In July 2021, the Ministry of Women and Child Development released Draft anti-trafficking Bill, the Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021.
- India has ratified the United Nations Convention on Transnational Organised Crime (the Palermo Convention) which among others has a Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

- India has ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.
- Anti-Trafficking Nodal Cell was set up in the Ministry of Home Affairs (MHA) in 2006 to act as a focal point for communicating various decisions and follow up on action taken by the State Governments to combat the crime of Human Trafficking.
- Judicial Colloquium: In order to train and sensitize the trial court judicial officers, Judicial Colloquium on human trafficking are held at the High court level.
- Ministry of Home Affairs under a Comprehensive Scheme 'Strengthening Law Enforcement Response in India against Trafficking in Persons' through Training and Capacity Building, has released fund for establishment of Anti Human Trafficking Units for 270 districts of the country.
- The Ujjawala scheme was launched in 2007 to put an end to the trafficking of children and women. The objective of the scheme is to prevent, rescue, rehabilitate, reintegrate, and repatriate victims trafficked for commercial sexual exploitation.
- Various initiatives such as "SwadharGreh Scheme", "Sakhi", "Universalization of Women Helpline", provide for a supportive institutional framework and mechanism for addressing concerns of women affected by violence.

2. Health Insurance for India's Missing Middle

Recently, NITI Aayog has released a comprehensive report titled Health Insurance for India's Missing Middle. The report brings out the gaps in the health insurance coverage across the Indian population and offers solutions to address the situation.

Key Points

Importance of Health Insurance:

- Health insurance is a mechanism of pooling the high level of Out of Pocket expenditure (OOPE) in India to provide greater financial protection against health shocks.
- Pre-payment through health insurance emerges as an important tool for risk-pooling and safeguarding against catastrophic (and often impoverishing) expenditure from health shocks.
- Moreover, pre-paid pooled funds can also improve the efficiency of healthcare provision.

Health Insurance: Need And Landscape

- **Achieving Universal Health Coverage:** Expansion of health insurance coverage is a vital step, and a pathway in India's effort to achieve Universal Health Coverage (UHC).
 1. Low Government expenditure on health has constrained the capacity and quality of healthcare services in the public sector.
 2. It diverts the majority of individuals – about two-thirds – to seek treatment in the costlier private sector.
- **High Out-of-Pocket Expenditure:** India's health sector is characterized by low Government expenditure on health, high out-of-pocket expenditure (OOPE), and low financial protection for adverse health events. The private sector is characterized by high OOPE, leading to low financial protection
- **Missing Middle:** According to the report, at least 30% of the population, or 40 crore individuals (referred as the missing middle in this report) are devoid of any financial protection for health.
 1. The Ayushman Bharat – Pradhan Mantri Jan Arogya Yojana (AB-PMJAY) and various State Government extension schemes, provide comprehensive hospitalization cover to the bottom 50% of the population.
 2. Around the top 20% of the population – 25 crore individuals – are covered through social health insurance, and private voluntary health insurance.
- **Existing Health Insurance, But not Suitable For The Missing Middle:**
 1. In the absence of a low-cost health insurance product, the missing middle remains uncovered despite the ability to pay nominal premiums.
 2. Affordable contributory products such as Employees' State Insurance Corporation (ESIC), and Government subsidized insurance including AB-PMJAY are closed products. They are not available to the general population due to the risk of adverse selection.

Recommended Insurance Models: The report has recommended three models for increasing the health insurance coverage in the country:

- **Creation of a Large and Diversified Risk Pool:** The success of a private voluntary contributory health insurance product requires creation of a large and diversified risk pool. For this to happen the Government should build consumer awareness of health insurance through Information Education Communication campaigns.
- **Developing a Modified, Standardized Health Insurance Product:** The cost of health insurance i.e., the premium needs to come down, in line with the affordability of the missing middle.
 1. For example, Aarogya Sanjeevani can be made affordable.
 2. Aarogya Sanjeevani is a standardised health insurance product launched by the Insurance Regulatory Development Authority of India (IRDAI) in April 2020.
- **Government Subsidized Health Insurance:** This model can be utilized for segments of the missing middle which remain uncovered, due to limited ability to pay for the voluntary contributory models outlined above.
 1. In the medium-term, once the supply-side and utilization of PMJAY is strengthened, their infrastructure can be leveraged to allow voluntary contributions to the missing middle.
 2. Government can provide public data and infrastructure as a public good to reduce operational and distribution costs of insurers.

Way Forward

- **Integrated Approach:** A combination of the three models, phased in at different times, can ensure coverage for the missing middle population.
- **Outreach Strategy:** Government databases such as National Food Security Act (NFSA), Pradhan Mantri Suraksha Bima Yojana, or the Pradhan Mantri Kisan Samman Nidhi (PM-KISAN) for agricultural households can be shared with private insurers after taking consent from these households. This will increase the outreach of insurance products with the needy section of the population.

BIODIVERSITY & ENVIRONMENT

World Heritage Sites & Climate Change

The first ever scientific assessment of the amounts of greenhouse gases emitted from and absorbed by forests (2001-2020) in UNESCO World Heritage sites has found that forests in World Heritage sites play a vital role in mitigating climate change.

Key Points

Mitigating Climate Change:

- World Heritage sites play a vital role in mitigating climate change by absorbing 190 million tons of CO₂ from the atmosphere each year.
- Carbon sequestration by world heritage forests over long periods has led to total carbon storage of approximately 13 billion tons of carbon. If all this stored carbon were to be released into the atmosphere as CO₂, it would be akin to emitting 1.3 times the world's total annual CO₂ emissions from fossil fuels.
- However, ten forests released more carbon than they sequestered due to pressure from human activity and climate change, which is alarming.
- UNESCO under its World Heritage Marine Programme lists 50 sites across the globe for their unique marine values. These represent just one per cent of the global ocean area. But they comprise at least 15% of global blue carbon assets. Blue Carbon is organic carbon that is mainly obtained from decaying plant leaves, wood, roots and animals. It is captured and stored by coastal and marine ecosystems.
- India's Sundarbans National Park (60 million tonnes of carbon) is among five sites that have the highest blue carbon stocks globally.

Reason for High Emissions:

- At some sites the clearance of land for agriculture caused emissions to be greater than sequestration.

- The increasing scale and severity of wildfires, often linked to severe periods of drought, is also a predominant factor in several cases. Other extreme weather phenomena, such as hurricanes, contributed at certain sites.

Recommendations:

- **Protection of Heritage Sites:** Strong and sustained protection of UNESCO World Heritage sites and their surrounding landscapes to ensure their forests could continue to act as strong carbon sinks and stores for future generations.
- **Rapid Response:** Rapidly responding to climate-related events, as well as maintaining and strengthening ecological connectivity through improved landscape management.
- **Integrated Protection:** Integrating the continued protection of UNESCO World Heritage sites into international, national and local climate, biodiversity and sustainable development strategies. It should be in line with the Paris climate agreement, the Post-2020 Global Biodiversity Framework and the Sustainable Development Goals.

Sundarban National Park

- It is located in the south-east of Kolkata in the District of West Bengal and forms part of the Gangetic Delta.
- The Sundarbans are mangrove forest, on the delta of the Ganges, Brahmaputra and Meghna rivers on the Bay of Bengal.
- The area is known for its wide range of fauna. It is home to many rare and globally threatened wildlife species such as the estuarine crocodile, Royal Bengal Tiger, Water monitor lizard, Gangetic dolphin, and olive ridley turtles.

World Heritage Marine Programme

- It is a global collection of unique ocean places stretching from the tropics to the poles.
- Today, the List includes 50 unique ocean places across 37 countries – recognized for their unique marine biodiversity, singular ecosystem, unique geological processes or incomparable beauty.
- India's Sundarban National Park is the only listed site under this programme.

World Heritage Sites

- A World Heritage Site is a place that is listed by UNESCO for its special cultural or physical significance.
- The list of World Heritage Sites is maintained by the international 'World Heritage Programme', administered by the UNESCO World Heritage Committee.
- This is embodied in an international treaty called the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted by UNESCO in 1972.
- India has 40 world heritage sites, including 32 cultural properties, 7 natural properties and 1 mixed site. The latest one included is Dholavira in Gujarat.

IMPORTANT FACTS FOR PRELIM

Indian Navy Frigate Tushil: P1135.6 Class

Recently, the 7th Indian Navy Frigate of P1135.6 class, named Tushil, was launched at Yantar Shipyard, Kaliningrad, Russia.

The Indian and Russian governments had in October 2016 signed an agreement to construct four additional P1135.6 class ships -- two each in Russia and India.

Key Points

- Designed and built by Russia for the Indian Navy, the ship is formally named as 'Tushil'. Tushil is a Sanskrit word meaning Protector Shield.
 - Project 1135.6 is also known as Talwar Class — a class of guided-missile frigates.
1. These are modified Krivak III-class frigates which are also the main basis of the Russian Admiral Grigorovich-class frigate.
 2. India has six Talwar class frigates in service.
- This ship is a potent combination of state-of-art Indian and Russian Weapons and Sensors equipped to operate in Littoral and Blue waters, both as a single unit and as consort in a naval task force.

- They feature “stealth technology” in terms of low radar and underwater noise signatures. Stealth technology is a low observable technology that makes aircraft, fighter jets, ships, submarines, satellites, missiles etc less visible to radar, infrared, sonar and other detection technologies.
- It highlights the long standing tradition of Military Technical Cooperation between India and Russia.
- They will add more power to the Indian Navy operating in the Indian Ocean Region (IOR).

2. Ocean Research Vessel- Sagar Nidhi

Recently, the Union Minister of Earth Sciences visited the Indian Subcontinent’s Pioneer Ocean Research Vessel (ORV) Ship SagarNidhi. Earlier, the Ministry of Earth Sciences (MoES) has launched India’s first manned ocean mission “Samudrayaan” in Chennai.

Key Points

About:

- It was commissioned in 2008 for the country's marine research programme. It is the third research vessel after Sagar Purvi and SagarPaschimi.
- The vessel is capable of carrying out geo-scientific, meteorological and oceanographic research, and is designed with blue-water capability with ranges of up to 10,000 nautical miles (19,000 km) for voyages lasting up to 45 days. A blue-water capability refers to an oceangoing fleet able to operate on the high seas far from its nation's home ports.
- It is the first Indian flagged research ship that reached the 66°S latitude [Antarctic waters], facing 11 storms and 73 nm/hr wind speed, witnessing nature’s harshest conditions.
- MoES has, at present 6 ships, SagarNidhi, SagarManjusha, SagarKanya, SagarSampada, Sagar Tara & SagarAnveshika, which are used for many ocean studies and applications including ocean observations.

Significance:

- Research Vessels (Ships) are required for exploration and harnessing ocean resources for the Blue Economy and participation in search and rescue operations, more specifically for the implementation of the Deep Ocean Mission.
- It is used for launching tsunami monitoring systems and remotely operable vehicles, for identifying mines and gas hydrates
- It will also be used for conducting oceanic studies on the fuel of the future gas hydrates and search for scientific evidence about origin of life and cures for chronic diseases (Diseases that last one year or more).

DAILY ANSWER WRITING PRACTICE

Qns. The developments affecting India’s neighbourhood over the past decade have led India to formulate policy options to secure her national interests, keeping in view the changes occurring in her neighbourhood. Discuss. (250 words)

Ans:

Introduction

There are worrying trends in India’s neighbourhood such as like the three-step Bhutan-China roadmap to resolve the bilateral border dispute, the attack on Hindu citizens in Bangladesh, the lack of clarity on Nepal relations, the continuing tentativeness to Taliban ties in Afghanistan. India’s cup of woes in the immediate neighbourhood is full, if not overflowing.

Body

India and neighbourhood

China: Indo-China border has been fragile since the Galwan clashes last year and there is increasing apprehensions regarding China’s motives.

1. China’s BRI in Nepal, Pakistan and maritime sea routes are a cause for worry due to debt-trap diplomacy and string of pearls theory.
2. India’s backyard is being surrounded by Chinese intrusions through our neighbours and this impacts India’s security.

Pakistan: Pakistan-China axis, cross border terrorism, acquisition of nuclear war heads by Pakistan are all red flags for India. Pakistan has been trying to bring issue of Kashmir in every international forum and state-sponsored terrorism in the valley is a major irritant.

1. Pulwama attack and previously Uri and Pathankot incident have deteriorated the relations drastically.
2. The CPEC corridor, all the way to Gwadar with China threatens India's sovereignty as it passes through Pakistan Occupied Kashmir.

Bangladesh: Though ties with Bangladesh have improved with coming of Sheikh Hasina government, issues of Teesta River water sharing, alternative access to north-east and closeness of Dhaka with Beijing remain a cause for worry.

Afghanistan: The Taliban takeover has created unstable environment in Afghan nation. Fragile within, a possible state collapse would spawn jihadist terrorism in all directions from which India is unlikely to remain immune. Within days of takeover, many ISIS violence and attacks have taken place in Kabul.

Sri Lanka: Colombo is heavily dependent on China and has a huge debt burden it owes to China. The Hambantota takeover by China in Indian ocean for 99 years is a case in point. It is a major sea line of communication and is a good vantage point for China upon India.

Nepal: Indo-Nepal border is virtually open and lightly policed which is exploited by terrorist outfits and insurgent groups from North Eastern part of India e.g. supply of trained cadres, fake Indian currency.

1. Overtime trust deficit has widened between India-Nepal because of the Indian reputation for delaying implementation of various projects.
2. The establishment of diplomatic relations between Nepal and China and its growing influence in Nepal has resulted in declining traditional leverage of India in Nepal.

Need for strategic approach in neighbourhood

Nepal: India should provide an alternative narrative for India-Nepal ties, one that takes into account longstanding people-to-people ties and cultural connect.

1. India should focus on fructifying the potential of hydropower cooperation, which has remained untapped largely due to differing perceptions.
2. India should maintain the policy of keeping away from internal affairs of Nepal, meanwhile in the spirit of friendship India should guide the nation towards more inclusive rhetoric.

Sri Lanka: India has taken many high development community projects in Sri Lanka. India has also taken non-reciprocal measures such as extending lines of credit etc. India housing project is Government of India's flagship project of developmental assistance to Sri Lanka. Its initial commitment is to build 50,000 houses for those affected by the civil war.

China: At the ground-level, we need to visibly reinforce our positions, and move forward to the LAC all along.

1. We should enhance the operational-tempo of the three services as a measure of deterrence. Indian warships should show heightened presence at the Indian Ocean choke-points.
2. The Ministry of Defence should seize this opportunity to urgently launch some long-term "Aatmanirbharta" schemes in defence-production.
3. At the strategic level, the government should consider sustained process of engagement with China at the highest politico-diplomatic
4. The negotiations should seek multi-dimensional Sino-Indian modus-vivendi; encompassing the full gamut of bilateral issues like trade, territorial disputes, border-management and security.

Pakistan: International Organizations can be used for building pressure over Pakistan for carrying out anti-terrorist activities like Pakistan's inclusion on the FATF Grey list makes it harder for its government to access international markets at a time when its economy is weakening.

- In order to strengthen the bilateral engagements between India and Pakistan need of the hour is to employ perfect balance of soft and hard power diplomacy coupled with international diplomacy.

Afghanistan: India should consider appointing a special envoy dedicated to Afghanistan. The envoy can ensure that Indian views are expressed at every meeting, and broaden engagement with the Taliban. This does not mean India is endorsing Taliban.

Conclusion

India's immediate neighbourhood directly impacts it geopolitically, geo-strategically and geo-economically because of its vicinity. Thus, working with them is important for India to rise as a great power. Emphasis must be on sustainable and inclusive development.

DAILY QUIZ

Q1. With reference to India's new drone rules, which of the following statements is/are correct?

1. Coverage of drones under Drone Rules, 2021 increased from 300 kg to 500 kg.
2. No restriction on drone operations by foreign-owned companies registered in India.
3. No pilot licence required for micro drones.

Select the correct answer using the code below:

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

Q2. Consider the following statements about the PM Ayushman Bharat Health Infrastructure Mission:

1. It was first announced in the Budget 2021-22.
2. Its objective is to fill gaps in public health infrastructure, especially in critical care facilities and primary care in both urban and rural areas.

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

Q3. With reference to Asian Infrastructure Investment Bank (AIIB), consider the following statements

1. AIIB has more than 80 member nations.
2. India is the largest shareholder in AIIB.
3. AIIB does not have any members from outside Asia.

Which of the statements given above is/are correct?

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

Q4. With reference to South China Sea, consider the following statements:

1. It is connected by Taiwan Strait with the East China Sea and by Luzon Strait with the Philippine Sea.
2. The Gulf of Thailand and the Gulf of Tonkin are part of the South China Sea.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2**
- d. Both 1 and 2

Q5. Consider the following statements:

1. The National Population Register (NPR) is a register of usual residents linked with location particulars down to the village level.
2. It is updated periodically "to incorporate the changes due to birth, death and migration".

Which of the statements given above is/are correct?

- a. Palestinians
- b. Syrians
- c. Kurdish people**
- d. Rohingya