

POLITY AND GOVERNANCE

PHONE TAPPING IN INDIA

Recently, several politicians have accused the Centre of protecting officers under probe for tapping the phones of political leaders.

Phone Tapping in India

Meaning:

- **It means interception of the** contents of communication through a secret connection to the telephone line of one whose conversations are to be monitored usually without the consent of the person whose communication is monitored.

Procedure:

- Authorities make a request to the service provider, which is bound by law to record the conversations on the given number and provide these in real time through a connected computer.
- All interception of phones and emails by the Union home secretary or state home secretary follow the prescribed procedure.
- In unavoidable circumstances, such an order may be issued by an officer, not below the rank of a Joint Secretary to the Government of India, who has been authorised by the Union Home Secretary, or the State Home Secretary.
- In remote areas or for operational reasons, if it is not feasible to get prior directions, a call can be intercepted with the prior approval of the head or the second senior-most officer of the authorised law enforcement agency at the central level, and by authorised officers, not below the rank of Inspector General of Police, at the state level.

Power of tapping phones:

- In the states, police have the power to tap phones.
- At the Centre, 10 agencies are authorised to do so:
 - Intelligence Bureau,
 - CBI,
 - Enforcement Directorate,
 - Narcotics Control Bureau,
 - Central Board of Direct Taxes,
 - Directorate of Revenue Intelligence,
 - National Investigation Agency,
 - R&AW,
 - Directorate of Signal Intelligence, and
 - the Delhi Police Commissioner.
- Tapping by any other agency would be considered illegal.
- The competent authority must record reasons for tapping in writing.

Exception for the press:

- **Press messages intended to be published in India of correspondents accredited to the Central Government or a State Government** shall not be intercepted or detained, unless their transmission has been prohibited under this subsection.

Data:

- On an average, 6,000 to 8,000 telephones are tapped by various agencies at any given time based on authorisation by the Union home secretary.
- Besides, around 10,000 more telephones are lawfully intercepted by state governments.

Issues with Phone Tapping

- **Infringes right to privacy and liberty:** The act of telephone tapping affects right to privacy as well as right to freedom of speech and expression, both are Fundamental Rights under the Constitution.
- **Curtailment of freedom of speech:** Violation of right of freedom of speech and expression is not permissible except what Article 19 of the Constitution provides.
- **Constitutional Test:** Not only substantive law but even the procedure should satisfy the constitutional test. The procedure should be just, fair and reasonable.

Existing Laws

- The Government follows procedures prescribed under the Indian Telegraph Act while ordering interception of phones and emails.
 - Section 5(2) says that “on the occurrence of any public emergency, or in the interest of the public safety”, phone tapping can be done by the Centre or states if they are satisfied it is necessary with reasonable restrictions of:
 - In the interest of “public safety”,

- Sovereignty and integrity of India,
- The security of the State, friendly relations with foreign States,
- Public order or
- For preventing incitement to the commission of an offence.
- Rule 419A of the Indian Telegraph (Amendment) Rules, 2007:
 - Phone tapping orders shall not be issued except:
 - By an order made by the Secretary to the Government of India in the Ministry of Home Affairs in the case of Government of India and
 - By the Secretary to the State Government in-charge of the Home Department in the case of a State Government.
- Besides this, an oversight committee which reviews each and every tapping ordered by the Union/state home secretary to verify if they were as per the law. The committee comprises the cabinet secretary (as head), law secretary and telecom secretary.

Measures Against Misuse

- **Using as Last Resort:**
 - The law is clear that interception must be ordered only if there is no other way of getting the information.
 - Rule 419A mentions that while issuing directions under sub-rule (1) the officer shall consider the possibility of acquiring the necessary information by other means and the directions under sub-rule (1) shall be issued only when it is not possible to acquire the information by any other reasonable means
- **Proper Reasons:**
 - Any order issued by the competent authority has to contain reasons, and a copy is to be forwarded to a review committee within seven working days.
 - At the Centre, the committee is headed by the Cabinet Secretary with the Law and Telecom Secretaries as members.
 - In states, it is headed by the Chief Secretary with the Law and Home Secretaries as members.
- **Controlled Disclosure:**
 - Directions for interception are to specify the name and designation of the officer or the authority to whom the intercepted call is to be disclosed, and also specify that the use of intercepted call shall be subject to provisions of Section 5(2) of the Telegraph Act. It is done to maintain transparency.
- **Limited Time Period:**
 - The directions for interception remain in force, unless revoked earlier, for a period not exceeding 60 days. They may be renewed, but not beyond a total of 180 days.
- **Destruction of Records:**
 - Under the rules, records pertaining to such directions shall be destroyed every six months unless these are, or are likely to be, required for functional requirements.
 - Service providers too are required to destroy records pertaining to directions for interception within two months of discontinuance of the interception.

Way Ahead

- Telephone-tapping infringes Article 21 of the Constitution of India unless it is permitted under the procedure established by law.
- Thus, the power of interception of communication can be resorted to, when it is necessary or expedient to do so in the interest of the sovereignty and integrity of India, security of the state, friendly relations with foreign states, public order or for preventing incitement to the commission of an offence. but Solomon Islands pijin is the lingua franca. There are over 80 different local languages plus dialects.

IMPORTANT FACTS FOR PRELIM

1. NASA's Perseverance Mission

Recently, the Perseverance Mars rover has captured Phobos, Mars' potato-shaped moon or satellite.

About

- The eclipse was captured with Perseverance's next-generation Mastcam-Z camera.
- These observations can help scientists better understand Phobos' orbit and how its gravity pulls on the Martian surface, ultimately shaping the red planet's crust and mantle
 - The last time NASA captured Phobos was in 2004, when the twin rovers 'Spirit' and 'Opportunity' took the first time-lapse photos of Phobos during a solar eclipse.
 - Curiosity, another NASA rover, also shot videos with its Mastcam camera system.

About Perseverance Mars Mission

- The Mars 2020 Perseverance mission is part of NASA's Moon to Mars exploration approach, which includes Artemis missions to the Moon that will help prepare for human exploration of the Red Planet.
- It addresses high-priority science goals for Mars exploration, including key questions about the potential for life on Mars.
- The mission takes the next step by not only seeking signs of habitable conditions on Mars in the ancient past, but also searching for signs of past microbial life itself.
- It introduces a drill that can collect core samples of the most promising rocks and soils and set them aside in a "cache" on the surface of Mars.

Opportunities

- The mission also provides opportunities to gather knowledge and demonstrate technologies that address the challenges of future human expeditions to Mars.
 - These include testing a method for producing oxygen from the Martian atmosphere, identifying other resources (such as subsurface water), improving landing techniques, and characterising weather, dust, and other potential environmental conditions that could affect future astronauts living and working on Mars.

Objectives

- Geology: Study the rocks and landscape at its landing site to reveal the region's history
- Astrobiology: Determine whether an area of interest was suitable for life, and look for signs of ancient life itself
- Sample Caching: Find and collect promising samples of Mars rock and soil that could be brought back to Earth in the future
- Prepare for Humans: Test technologies that would help sustain human presence on Mars someday.

2. Blue Straggler Stars

Recently, Scientists at Indian Institute of Astrophysics, Bengaluru, have found support for one way to understand peculiarity about Blue Straggler Star.

- The researchers also made use of the observations by the UVIT instrument (UltraViolet Imaging Telescope) of ASTROSAT (India's first science observatory in space).

About Blue Straggler Stars

- They are a class of stars on open or globular clusters that stand out as they are bigger and bluer than the rest of the stars.
- They have intrigued scientists who have for long probed their origin.
- It is found in old star clusters and appears to be lagging behind most of the other stars in the cluster in its evolution toward a cooler, reddish state.
- Blue stragglers tend to be strongly concentrated toward the centre of the cluster.

Formation:

- A bunch of stars born at the same time from the same cloud form a star cluster.
- As time passes, each star evolves differently depending on its mass.
- The most massive and bright stars evolve and move off the main sequence creating a bend in their track, known as the turnoff.
- Stars above this bend or brighter and hotter stars are not expected in a cluster, as they leave the main sequence to become red giants.
- But in 1953, Allan Sandage found that some stars seem to be hotter than the turnoff of the parent cluster.
- Initially, these blue stars still straggling above the turnoff were not part of these clusters.
- However, later studies confirmed that these stars are indeed cluster members, and they were termed "Blue Stragglers".

About the Study

- They do not belong to the family of stars in the cluster, and hence are not expected to have the group properties.
- But if they actually belong to the group, the evasive behaviour is due to these stars gaining mass from a binary companion.
- The straggler draws matter from the giant companion star and grows more massive, hot and blue, and the red giant to end up as a normal or smaller white dwarf.
- The straggler draws matter from a companion star, but there is a third star that facilitates this process.
- The IAP researchers have shown evidence that supports the second of the hypotheses listed above.

Relevance of the study

The study will help improve understanding of these stellar systems to uncover exciting results in studies of large stellar populations, including galaxies.

DAILY ANSWER WRITING PRACTICE

Q1. The recently signed Comprehensive Strategic Partnership between India and U.K has opened new avenues for cooperation between the two countries which can lead to building of a lasting partnership. Comment. (250 words)

Introduction

India and UK are bound by strong ties of history and culture. In 2021, India & UK agreed on a common vision of a new and transformational Comprehensive Strategic Partnership and adopted an ambitious India-UK Roadmap to 2030 to steer cooperation for the next 10 years.

- The recent visit of U.K. Foreign Secretary to India and participation in the inaugural edition of India-U.K. Strategic Futures Forum, a Track 1.5 Dialogue, has emphasized that the bilateral relationship is indeed on an upward trajectory.

Body

New avenues for cooperation between India and the UK

Democracy power

- countering Russian aggression and reducing global strategic dependence on Moscow by underlining the importance of democracies working cohesively to deter aggressors.

Indo-Pacific Initiative

- The U.K. will join India's Indo-Pacific Oceans Initiative and become a major partner on maritime security issues in Southeast Asia.

Defence cooperation

- India is a key strategic partner for the U.K. and was underscored by signing of Defence and International Security Partnership between India and the U.K. in 2015.

Joint cyber security programme

- A new joint cyber security programme is set to be announced to protect online infrastructure as both parties attempt to carry out joint exercises to combat threats from cyber criminals and ransomware.

Strategic Tech Dialogue

- India and the U.K. plan to hold the first Strategic Tech Dialogue, a ministerial-level summit on emerging technologies.

British International Investment funding

- The U.K. has confirmed 70 million euro of British International Investment funding to support the usage of renewable energy in India.

India-U.K. Free Trade Agreement

- In January, India and U.K. managed to conclude the first round of talks for an India-U.K. Free Trade Agreement.
- The negotiations reflected shared ambitions to secure a comprehensive deal between the fifth and sixth largest economies in the world as both sides covered over 26 policy areas.

Other areas of cooperation

- Fintech, Market regulation, Sustainable and green finance & Cyber security are some of the niche areas where India and UK can cooperate.

Way forward

- Indian and UK Government should prioritise trade talks and do more to lay the groundwork for an eventual deal.
- Starting out with improving access to targeted support for UK businesses in India, particularly start-ups and smaller businesses – could be the way out to improve the business environment in India.
- UK and India's convergence of interests in the Indian Ocean region offers an important opportunity to increase engagement on defence and security.
- Hence, both nations should promote standards of transparency and sustainability for infrastructure projects in the region
- With the UK expanding its footprint in the Indo-Pacific and India working toward gaining prominence as the net security provider in the region, both countries' aspirations and future seem to be intertwined. Hence, the imperative for thorough execution.
- New geopolitical realities demand a new strategic and it is time to seize the moment to lay the foundations of a partnership that can respond adequately to the challenges of the 21st century.
- India needs to recognise the lack of harmony between different strands of the relationship. Long joint statements and unreachable ambition are not the answer. Arriving at common ground on issues troubling India should be the foremost concern

- This relationship has had many beginnings. Just to stay in the game, we have to concede to geopolitics. Britain (post- Brexit) and India (with the China challenge) need partners. Given India's difficulties amid the pandemic, Britain has early advantage
- Hence, the need to bank on the profound ties of culture, history and language to further deepen relations between India and UK.

DAILY QUIZ

Q1. Which of the following committees are associated with Panchayati Raj in India?

1. Balwant Rai Mehta Committee
2. Ashok Mehta Committee
3. L M Singhvi Committee
4. Bimal Jalan committee
5. Raja Chelliah Committee

Select the correct answer using the code given below:

- (a) **1, 2 and 3 only** (b) 1, 3 and 4 only
(c) 2, 4 and 5 only (d) 1, 2, 3, 4 and 5

Q2. Perseverance mission recently seen in the news ,it is related to :

- (a) Jupiter (b) Venus
(c) **Mars** (d) Saturn

Q3. With reference to the Wheat crop, consider the following statements

1. It is native to Southeast Asia.
2. It is a Kharif crop.
3. Soils with a clay loam and moderate water holding capacity are ideal for wheat cultivation.

Which of the given above statements is/are correct?

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

Q4. With reference to phone tapping, consider the following statements:

1. All interception of phones and emails by the Union home secretary needs to follow the prescribed procedure.
2. In the states, police have the power to tap phones.

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

Q5. Consider the following statements:

1. QUAD is an informal strategic forum between India, Japan, US and Australia.
2. The idea of QUAD was first mooted by the Indian Prime Minister in 2010.
3. Exercise Malabar is an initiative of all the QUAD members.

Which of the above statement(s) is/are not correct?

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

Q6. Consider the following statements with respect to the UN Economic and Social Council (ECOSOC)

1. Though a part of the United Nations (UN), it is not among the 6 principal organs of the UN.
2. The members of ECOSOC are elected by the UN General Assembly for a three-year term.
3. Seats in the council are allocated based on permanent membership.

Which of the statements given above are correct?

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

Q7. Consider the following statement

A. Assertion : citizenship (amendment) Act 2019(CAA) does not in any way take away or abridge the rights of any Indian citizen

B. Reason : The CAA does not apply to Indian citizens

Choose the correct answer using the code given below

- a) A is true but B is not the correct reason for A
b) B is true but A is not true
c) Both A and B are true but B is not the Correct Explanation of A
d) **Both A and B are true and B is the correct explanation of A**

Q8. Consider the following statements with respect to NCPCR

1. NCPCR is a statutory body established under the Protection of Children from Sexual Offences (POCSO) Act, 2012.

2. The Commission's Mandate is to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.

Which of the above statement/s is or are correct ?

- a) 1 only
b) 2 only
c) Both
d) Neither 1 nor 2

Q9. Choose the correct statement regarding the relationship between monsoon and southern oscillation.

1. Every el-nino year leads to less rain fall and every la nina year leads to more rainfall in indian subcontinent
2. There is no one to one correspondence but a general relationship between monsoon and ENSO.

Select the correct answer using the code given below

- a) 1 only
b) 2 only
c) Both
d) Neither 1 nor 2

Q10. Consider the following statement

1. It is provided for states to create Human rights commissions under the protection of human rights act 1993.
2. The state human rights commission enquire into violation of Human rights only in respect of matter related to list II and III of 7th schedule of constitution
3. West Bengal is the first state to create its human rights commission.

Choose the correct statement using the code given below

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

Q11. Consider the following statements about western ghats

1. Western ghats is a biodiversity hotspot in india
2. Western ghats is a hope spot under mission blue.

Choose the incorrect statement/s using the code given below

- a) 1 only
b) 2 only
c) Both
d) None of the above

Q12. Consider the following statement about the parliamentary proceedings

1. Disruption in the proceedings amounts to contempt of the house.
2. Disrupters can not claim it as their privilege.

Choose the correct statement /s

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

Q13. Consider the following statements

1. Under The Information Technology Act, 2000 MeitY can ask any social media intermediary to take down content that violates the law and Constitution of India.
2. MeitY's order can be challenged in a court of law only after the intermediary has done as requested by the ministry.

Choose the correct statement using the code given below

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

Q14. Aptani Tribes are in news frequently due to their Aptani weave textile belongs to which of the following state

- a) Arunachal pradesh
b) Mizoram
c) Manipur
d) Meghalaya

Q15. Examine the following statement about the Drone rule 2021

1. The rule supersedes the Unmanned Aircraft System (UAS) Rules, 2021
2. Within the new rules, drones have been clearly classified by size like Nano , Micro ,Small, Medium , Large drones.

Choose the correct statement /s

- a) 1 only
b) 2 only
c) Both
d) Neither 1 nor 2