

GOVERNANCE**Twitter's petition on Section 69A of the IT Act**

- ❖ **CONTEXT:** Microblogging platform Twitter moved the Karnataka High Court seeking to set aside multiple blocking orders of the Central government as well as to alter their directions to identify specific violative content than imposing a blanket ban on individual accounts. According to Twitter, the blocking orders were “procedurally and substantially” non-compliant with Section 69A of the Information Technology Act (IT Act).
- ❖ **What has happened so far?**
 - The U.S.-headquartered tech company had been speaking to the Ministry of Electronics & Information Technology since May about a reconsideration of some of the blocking orders. However, in June the Ministry gave it a last opportunity to comply with the orders, setting out serious consequence for non-compliance.
 - Responding to the development, Ministry of State for Information and Technology stated that while all foreign intermediaries have the right to judicial review, they also have the unambiguous obligation to comply with Indian laws.
- ❖ **What is the legality behind blocking content?**
 - Section 69A of the IT Act empowers the government to restrict access to any content in the interest of sovereignty and integrity of the country, security of the state, friendly relations with foreign states or for public order. All directions to restrict information or content in circulation must be recorded in writing.
 - Social media intermediaries failing to comply with the regulations are liable to be monetarily penalised along with an imprisonment term which may extend up to seven years.
 - The procedures for executing the provisions of the act are enlisted in the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009. It entails that a government-designated officer along with an examination committee assess the content in question within 48 hours of receiving the takedown request. It must enable an opportunity to the author or originator of the content to provide clarifications. The recommendations are then sent to the Secretary of the Dept of Information Technology for approval to forward a request to the social media intermediary for restricting access.
 - Emergency provisions stipulate that the clarification be sought after the content has been blocked for specified reasons, but within 48 hours.
 - They can be revoked after due examination. Internet advocacy groups have been particularly critical of Rule 16 that suggests strict confidentiality be maintained on all requests and actions taken thereof — often attributed to be the cause for lack of transparency.
 - The mentioned legislations are to be read under the purview of Article 19 of the Indian Constitution guaranteeing freedom of speech and expression. However, Clause 2 of the article permits the state to impose ‘reasonable restrictions’ for the same reasons as those for Section 69A.
- ❖ **What is Twitter's claim?**
 - The microblogging platform states that it respects user expression while also taking into consideration applicable local laws. The disparity in assessment of what constitutes ‘free expression’ and harm to public order among the two entities is the premise of the entire contestation.
 - Twitter restricts access to an allegedly violative content only based on a “valid and properly scoped request” from an authorised entity. However, the curtailment is limited to the jurisdiction that has issued the legal demand. Its policies stipulate that the author of the content must be informed if such a request is received or acted upon.
 - As per its transparency report for January to June 2021, India accounted for 11% of the overall legal requests received globally by the micro-blogging platform for moderating access

to certain content. Moreover, during the period, internationally it received 43,387 legal demands to remove content specifying 1,96,878 accounts — the greatest observed spike since it started writing the transparency reports in 2012.

- It attributed the spike in accounts withheld to blocking orders issued under the IT Act.
- Its petition points to two structural problems, firstly, the absence of a case-specific rationale for blocking content and accounts, and secondly, not according the originators of the content the mandatory hearing.

❖ **What procedural issues has Twitter described?**

- Twitter holds that the government has been merely reproducing the words of Section 69A as reasons for blocking URLs and accounts.
- The government has allegedly not shown why the restrictions were necessary in the interest of public order or for any other reason.
- The Supreme Court’s ruling in *The Superintendent, Central Prison, Fatehgarh vs Ram Manohar Lohia (1960)* had held restrictions made in public interest must possess reasonable connection to the objective being achieved. They need to be set aside should the co-relation be “far-fetched, hypothetical or too remote”, in other words, bearing no proximity to public order.
- The concerns are further aggravated when the directions are aimed at blocking individual accounts (in other words, temporary or permanent revocation of an individual’s presence on the platform) and not the specific content.
- Therefore, the contestation now extends to interrogating if the scope of the legislation is restricted to already-existing content or content that could be potentially generated in the future (by the censored individual).
- One of the prime reasons why the Supreme Court had upheld the constitutionality of Section 69A in *Shreya Singhal vs Union of India (2012)* was its adherence to accord a hearing to the author of the content as well as the intermediary.
- It is guaranteed under Rule 8 of the procedural norms but Twitter stated that the government has neither provided any notice nor any hearing.

❖ **What kind of content has fallen under the purview of Section 69A?**

- Between February 2, 2021 and February 28 2022, Twitter received directions to block 1,474 accounts and 175 tweets in India. Of these, it is challenging 39 URLs with its latest petition. Several of these URLs had journalistic or political content.
- Previous judgments of the Supreme Court have suggested the content must be viewed from the standards of a “strong-minded, firm and courageous” person.
- The assessment must not be from the standpoint of a “weak” and “vacillating” individual who may sense danger in every hostile point of view.
- It is in this light that Twitter has argued the blocked content does not meet the “threshold” for restricting access.
- Twitter has also argued that the vast majority of people who consume the content under scrutiny are necessarily literate and can reasonably perceive the full context of the content.

PRELIMS

1. **Mission Vatsalaya**

❖ **CONTEXT: The guidelines of the Ministry of the Women and Child Development (WCD) has mandated the states to retain the official name of the Mission Vatsalya, in order to access Central funds and benefits under the scheme.**

- Mission Vatsalaya is an umbrella scheme for Child Protection Services (CPS) in the country and it promotes family-based non-institutional care of children in difficult circumstances based on the principle of institutionalization of children as a measure of last resort.

• **Objectives**

1. Secure a healthy and happy childhood for each and every child in India,

2. Ensure opportunities to enable them to discover their full potential and assist them in flourishing in all respects, in a sustained manner,
3. Foster a sensitive, supportive and synchronized ecosystem for development of children,
4. Assist States/UTs in delivering the mandate of the Juvenile Justice Act 2015 and achieve the SDG goals.

• **Components**

1. Improve functioning of statutory bodies;
 2. Strengthen service delivery structures;
 3. Upscale institutional care/services;
 4. Encourage non-institutional community-based care;
 5. Emergency outreach services;
 6. Training and capacity building.
- **Funds** - The funds to states will be approved through the Mission Vatsalya Project Approval Board (PAB), which will be chaired by the WCD Secretary.
 - The WCD Secretary will scrutinise and approve annual plans and financial proposals received from states and UTs for release of grants.
 - **Implementation** - The scheme is implemented as a Centrally Sponsored Scheme by the Ministry of the WCD in partnership with state governments and UT administrations.
 - **Funding Pattern** - It is implemented with the fund-sharing pattern in the 60:40 ratio.
 - However, the Centre and state/ UT's share will be 90:10 for the 8 Northeastern states as well as Himachal Pradesh, Uttarakhand and the UT of Jammu & Kashmir.
 - The Centre will cover the whole cost in UTs without a legislature.
 - **SARA & CARA** - Mission Vatsalya will support the State Adoption Resource Agencies (SARA).
 - The SARA will coordinate, monitor and develop the work related to non-institutional care, including adoption in the state.
 - The SARA will support the Central Adoption Resource Authority (CARA) in promoting in-country adoption and regulating inter-country adoption.
 - **Other features** - Mission Vatsalya, in partnership with states and districts, will execute a 24x7 helpline service for children, as defined under Juvenile Justice Act, 2015.
 - Separate children's homes based on gender (including separate homes for transgender children) and age will be established for children in need of care, as well as for special needs children.
 - The Open Shelters registered by the state government will also be supported to look after runaway children, missing children, trafficked children, and other children who want special needs.
 - Open Shelters are not meant to provide permanent residential facilities for children but will complement the existing institutional care facilities.

2. **IPBES Report on Sustainable Use of Wild Species**

❖ **CONTEXT: A report released by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) has stated that about 50,000 wild species globally can meet the needs of billions of people.**

- The IPBES Assessment Report on Sustainable Use of Wild Species offers insights, analysis and tools to establish more sustainable use of wild species of plants, animals, fungi and algae around the world.
- This report is the first of its kind and has been conceived after a period of 4 years.
- One out of five people source their food from wild plants, algae and fungi.
- 2.4 billion Depend on firewood for cooking and 90% of the 120 million population pursuing fisheries rely on small-scale fishing.
- The report noted that indigenous people and local communities used local knowledge, practices and spirituality for the sustainable use of wild species. They respected nature and only took what they needed.

- This ensured that healthy populations of wild species were maintained.
- The assessment shortlisted five categories of practices used for wild species
 1. Fishing,
 2. Gathering,
 3. Logging,
 4. Terrestrial animal harvesting which includes hunting and
 5. Non-extractive practices such as observing.
- The report examined specific uses for each category regarding food, materials, medical benefits, energy, recreational and ceremonial purposes and decorations over the past two decades.
- It indicated the increasing use of wild species but added that its sustained use has been varied.
 - Countries with robust fisheries management had seen stocks increasing in abundance.
 - For instance, the Atlantic bluefin tuna population has been rebuilt and is now fished within sustainable levels.
 - The report also presented concerns of effective regulations without which the unsustainable use and trade would increase, leading to population collapse.
 - The report further found that the following characteristics would facilitate the sustainable use of wild species in future,
 1. Integration of diverse value systems,
 2. Equitable distribution of costs and benefits,
 3. Changes in cultural norms and social values and
 4. Effective institutions and governance systems.
 - It stressed that the sustainable use of wild species needed “constant negotiation and adaptive management” along with a common understanding of “sustainable use”.
- 3. **Red pandas**
 - ❖ **CONTEXT: In first rewilding programme of these animals, Darjeeling zoo to release them in Singalila National Park**
 - The Singalila National Park, the highest protected area in West Bengal, will soon get new denizens. A zoo in the picturesque Darjeeling Hills has started an ambitious programme to augment the wild red panda population.
 - In the first rewilding programme of red pandas (*Ailurus fulgens*) in India, the Padmaja Naidu Himalayan Zoological Park will release 20 of these furry endangered mammals in about five years to the forests.
 - The number of red pandas has been declining in the wild, even in the Singalila and Neora Valley National Parks, the two protected areas where the mammal is found in the wild in West Bengal. Recent studies estimate that there are 38 of them in Singalila and 32 in Neora.
 - Conservation breeding of red pandas is only one part of the programme. Selection of animals to be released in the wild, breaking their food association with humans and tagging the animals released in the wild are crucial factors in rewilding of the red panda population.
 - The Padmaja Naidu park, at a height of about 2,000 metres above the sea level, is one of the high-altitude zoos in the country and has been quite successful in captive breeding of the furry mammals.
 - With the birth of a couple of cubs a few weeks ago, the number of red pandas at the Darjeeling zoo has increased to 27.
 - The red panda (*Ailurus fulgens*) is a mammal species native to the eastern Himalayas and southwestern China.
 - Categorised as an endangered species as per IUCN Red List of Threatened Species, red pandas are shy, solitary and arboreal animals and considered an indicator species for ecological change.
 - **Threats:** Habitat loss and fragmentation, poaching, and inbreeding depression.
 - Despite its name, it is not closely related to the giant panda

ANSWER WRITING

Q. What do you mean by Minimum Support Price (MSP)? How will MSP rescue the farmers from the low income trap?

MSP is a form of market intervention by the Government of India to insure agricultural producers against any sharp fall in farm prices during bumper production years. The major objectives are to support the farmers from distress sales and to procure food grains for public distribution.

The MSPs are announced by the Union Government at the beginning of the sowing season for certain crops on the basis of the recommendations of the Commission for Agricultural Costs and Prices (CACP). MSP will rescue farmers from low income trap in the following ways:

- **Fixed Remunerations:** The farmers are financially secured against the vagaries of price instability in the market.
- **Social Security:** The fixed prices for different crops saves farmers from distress selling. This in turn helps them to get out of the clutches of money lenders and middlemen.
- **Diversification of crops:** The MSP announced by the Government of India for the first time in 1966-67 for wheat has been extended to around 24 crops at the present. This will encourage the farmers to grow these diverse crops to maximize their income.

However, a lot is yet to be done as far as MSPs for different crops are concerned. Besides increased quantum and diversification of MSPs, the procurement of food grains must also be streamlined in order to sustain investment in agriculture and ensure food security in the country.

MCQs

1. Consider the following statements with reference to Mission Vatsalaya
 1. It is a centrally sponsored scheme of Ministry of Education in collaboration with state governments.
 2. Secure a healthy and happy childhood for each and every child in India is one of the objective of this mission.
 Choose the correct statement using the codes given below
 a) 1 only **b) 2 only** c) Both 1 and 2 d) Neither 1 nor 2
2. With reference to Red Panda consider the following
 1. Recently Red Panda rewilding programme of red pandas (*Ailurus fulgens*) carried out in India as it is decided to upgrade the IUCN status of Red Panda from Extinct in wild to Endangered.
 2. It is the first rewilding programme of Red pandas in India
 Which of the above statement/s is /are not correct?
 a) **1 only** b) 2 only c) Both 1 and 2 d) Neither 1 nor 2
3. Consider the following pairs
 1. Singalila National Park - west Bengal
 2. Neora Valley National Parks – Assam
 3. Nokrek National Park - Mizoram
 4. Namdapha National Park – Meghalaya
 How many above pairs are correctly matched?
 a) Only three pairs
 b) Only two pairs
 c) **Only one pairs**
 d) All the pairs
4. With reference to Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) consider the following statements
 1. It is a specialized organ of United Nation
 2. Recently for the first time a report on sustainable use of wild species has been released by the organization
 Select the correct statement/s using the codes given below?
 a) 1 only

- b) **2 only**
c) Both 1 and 2
d) Neither 1 nor 2
5. Sahariya tribe that has been categorised as a Particularly Vulnerable Tribal Group (PVTG) are mostly found in which of the following state?
a) Odisha
b) West Bengal
c) Chhattisgarh
d) **Madhya Pradesh**
6. Consider the following statements
1. All the satellites of India are currently owned only by ISRO
2. Every television broadcasting channel is linked only through ISRO
Which of the above statement is or are correct?
a) 1 only
b) 2 only
c) **Both 1 and 2**
d) Neither 1 nor 2
7. Which of the following statement is correct regarding Gaganyaan mission?
a) **The objective of Gaganyaan programme is to demonstrate indigenous capability to undertake human space flight mission to LEO (Low Earth Orbit).**
b) India's first venture into the interplanetary space.
c) First experimental suborbital flight of India's latest generation Launch Vehicle- LVM3
d) First dedicated Indian astronomy mission aimed at studying celestial sources in X-ray, optical and UV spectral bands simultaneously
8. World population day is observed on which of the following date?
a) 10th July
b) **11th July**
c) 12th July
d) 13th July
9. Recently Atapuerca Mountains in news due to human fossil fragments discovered near it, the mountain is associated with which of the following?
a) North America
b) South America
c) South Africa
d) **Europe**
10. Consider the following statements
1. IT Act empowers the government to restrict access to any content in the interest of sovereignty and integrity of the country, security of the state, friendly relations with foreign states or for public order.
2. A government-designated officer can assess the content in question within 48 hours of receiving the takedown request.
Choose the correct statement using the codes given below
a) 1 only
b) 2 only
c) **Both 1 and 2**
d) Neither 1 nor 2