News Analysis (27 Mar, 2021)

World Development Report 2021: World Bank

Why in News

Recently, the **World Bank** has published the **World Development Report 2021:Data for Better Lives.**

> The World Development Report 2021 provides a blueprint on **how to harness the power of data for development,** to ensure no one is left behind.

Key Points

- **The Social Contract For Data:** To get more value out of data while protecting people against harm and ensuring access and representation. Different data-creating and data-using parties need to safely collaborate.
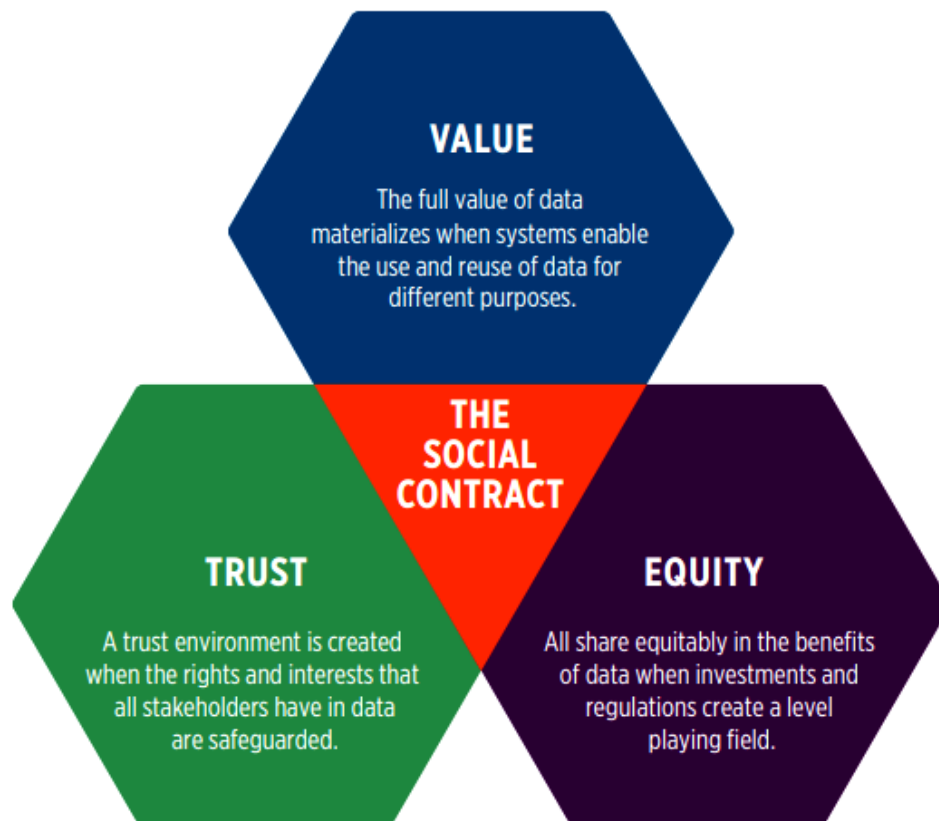

The three elements of a social contract for data: **Value, Equity and Trust**
- **Data As a Force For Public Good:**
  - **Public intent data - data collected with the intent of serving the public good** by informing the design, execution, monitoring, and evaluation of public programs and policies - are a prerequisite for many government functions.
  - Public intent data can bring value to development through several pathways, such as
    - holding governments accountable and empowering individuals,
    - improving service delivery, and
    - prioritizing scarce resources.
- **Infinite Possibilities:**
  Repurposing and integrating public- and private-intent data can help provide **real-time and finer-scale insights, fill data gaps,** and overcome limitations associated with each data type.
- **Connecting The World: Data Infrastructure** is a key part of ensuring equitable access to data for poor people and poor countries.
- **Crossing Borders:** Data is a tradable asset, but sending them across borders requires adequate data protection.

- **Governing Data:** The role of data governance is two fold:
  - First, to control risks by ensuring the security, integrity, and protection of data and systems; and
  - Second, to capture value by establishing rules and technical standards to enable data to be more effectively transferred, combined, and exchanged.
- **Improving Data Systems:** Fully harnessing the value of data requires building an **Integrated National Data System (INDS).**
  - INDS is a way of countries realizing the potential of data for development, using the principles of the social contract as a blueprint.
  - The INDS framework allows a country to share data between national participants safely while maximizing the benefit equitably.
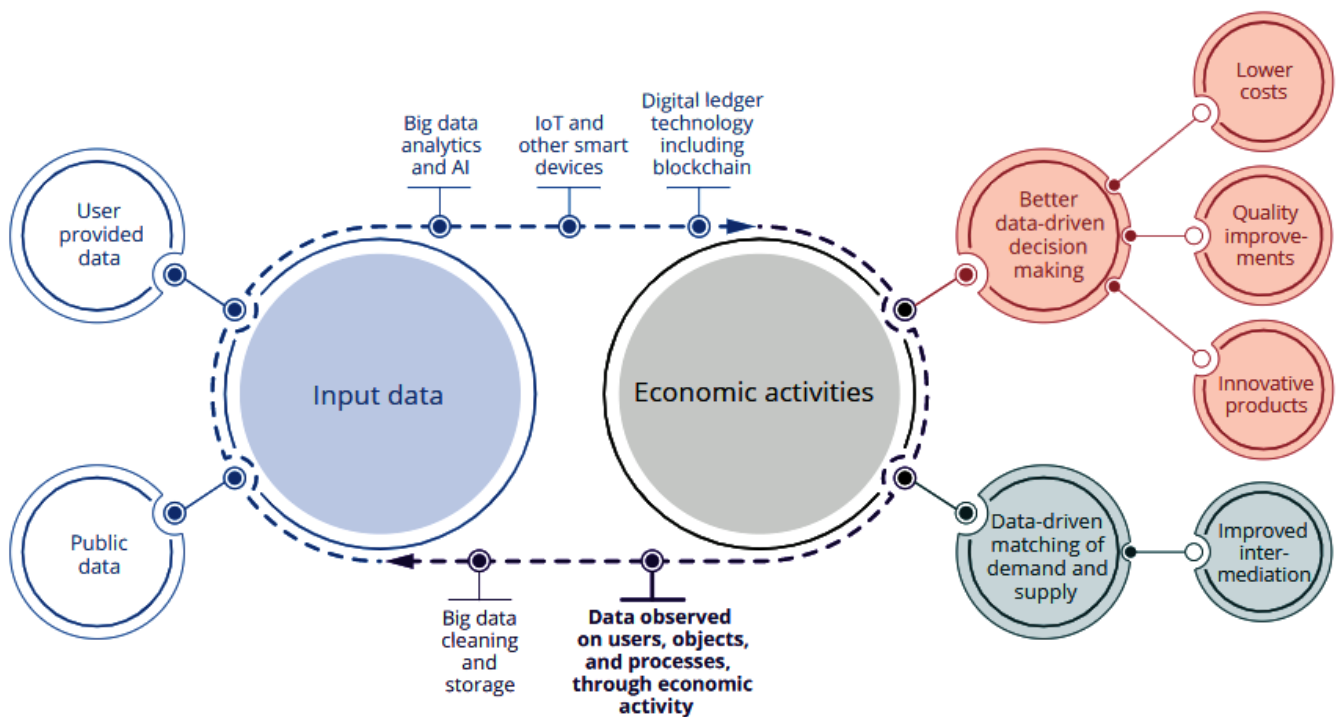
Issues Flagged by the Report:

- **Not A Leveling Playing Field:** An explosion of **data platform** businesses is raising concern about competition and posing new challenges for regulation.
    - **Data Platform:** It is an integrated technology solution that allows data located in databases to be governed, accessed, and delivered to users, data applications, or other technologies for strategic business purposes.
- **Lack of Open Data:** Only 11% low-income countries make their data **open (Not Accessible To General Public or research institution),** the report flagged.
    - The comparable rate for lower-middle-income countries was 19%, for upper-middle-income countries 22% and high-income countries 44%.
- **Underinvestment In Public Intent Data Systems: Only half the countries had a national statistical plan** that was fully funded as of 2019. While 93% of high-income countries had a fully funded national statistical plan, not a single low-income country had one.
- **Issue Related To Lower-income Countries:** Unable to harness the potential of data due to a lack of institutions, decision-making autonomy, and financial resources, all of which hold back their effective implementation and effectiveness of data systems and governance frameworks.
- **Gaps In Data On Women And Girls** are particularly severe: Only 10 of the 54 gender-specific indicators (19%) in the **United Nations**-mandated **sustainable development goals (SDGs)** were widely available.
- **Misuse of Data:** Making data accessible to more users and creating systems that facilitate their reuse also opens the door for data to be misused in ways that can harm individuals or development objectives.
    - The report also flagged **concerns over protection of personal data; misinformation; and attacks on software,** networks and data systems.
- **Data Infrastructural Gaps:** There are major gaps evident between rich and poor people on broadband connectivity, and a substantial divide emerging between rich and poor countries when it comes to the availability of data infrastructure.

Data Gaps In India:
- Echoed concerns on assessment of global poverty by the World Bank, which has been skewed due to **absence of data on poverty from India.**
- India **monitors 54 out of the 130 SDG indicators.** While the overall number of monitored indicators has gone up, the country has dropped four indicators from its tracking list.
- The report called for **strategic repurposing of existing data.**
- Some **steps taken by India:**
  - **National Data Sharing & Accessibility Policy (NDSAP):**
    - The National Policy is expected to increase the accessibility and easier sharing of non-sensitive data amongst the registered users and their availability for scientific, economic and social developmental purposes.
  - **Open Government Data (OGD) Platform:**
    - To provision an enabling Platform to provide proactive and open access to the data generated.
    - To increase Transparency, Accountability, Citizen Engagement, Collaboration, Better Governance, Decision making & Innovation.
    - **Paradigm Shift in Governance** – Direct Delivery of Services to Citizens, Setting up a Platform for Collaboration, Innovation in delivery of Services to Citizens.

Way Forward

- **Participation of the Poor:** Data offers tremendous potential to create value by improving programs and policies, driving economies, and empowering citizens. The **perspective of poor people** has largely been absent from the global debate on data governance and **urgently needs to be heard.**
- **International cooperation:** The Report called for International cooperation to harmonise regulations and coordinate policies so that the value of data can be harnessed to benefit all, and to inform efforts toward a green, resilient and inclusive recovery.
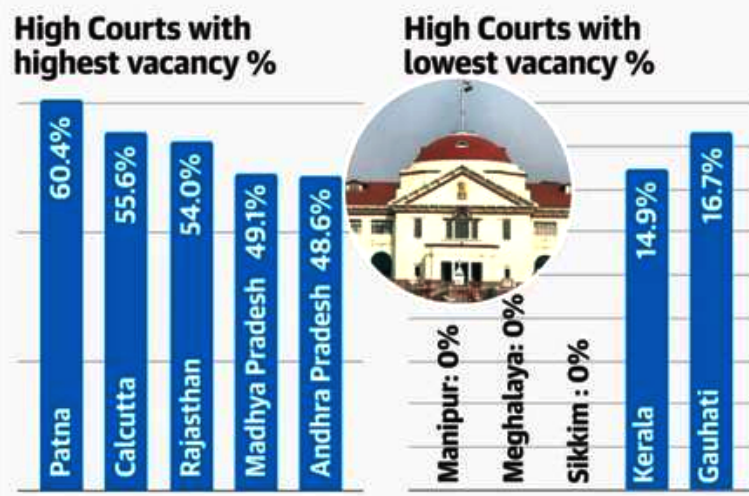
Source: DTE

Ad-hoc Judges in High Court

Why in News

Recently, the Supreme Court pushed for the appointment of retired judges to battle the **pendency of cases** in High Courts.

Short staffed

As of March 1, over 60% of the sanctioned strength of judges (permanent and additional) were vacant at the Patna High Court (in photo), the highest in % terms in India. Three High Courts, all from the northeast, had no vacancies

High Courts with highest vacancy %

Patna 60.4%
Calcutta 55.6%
Rajasthan 54.0%
Madhya Pradesh 49.1%
Andhra Pradesh 48.6%

High Courts with lowest vacancy %

Manipur: 0%
Meghalaya: 0%
Sikkim : 0%
Kerala 14.9%
Gauhati 16.7%

Key Points

- **Supreme Court Suggestions:**
    - **Guidelines for Appointment of an Ad-hoc Judge:** The court orally **outlined prospective guidelines** for the appointment and functioning of an ad-hoc judge.
    - **Pendency Beyond a Certain Limit:** If in a particular jurisdiction, the **pendency goes beyond a certain limit, say eight or 10 years,** the **Chief Justice may appoint a certain [retired] judge** with expertise in those fields of laws as an ad hoc judge.
        The **term of such a judge could be extendable.**
    - **Position:** The appointment of ad-hoc judges would not be a threat to the services of other judges as the **Ad-hoc judges will be treated as the junior most.**
    - **Selection:** The retired judges would be chosen **on the basis of their expertise in a particular field of dispute** and allowed to retire once the pendency in that zone of law was over.
- **Arguments for Appointing Retired Judges:**
    The retired judges who had handled certain disputes and fields of law for over 15 years **could deal with them faster** if brought back into harness as ad-hoc judges.
- **Related Constitutional Provisions:**
    - The appointment of retired judges was provided for in the **Constitution under Article 224A (appointment of retired judges at sittings of High Courts).**
    - Under the Article, the Chief Justice of a High Court for any State may at any time, with the **previous consent of the President, request any person** who has held the office of judge of that court or of any other High Court to sit and act as a judge of the High Court for that State.

- **Reasons For Pendency:**
    - **The Government is the Biggest Litigant:** According to the **Economic Survey 2018-19** poorly drafted orders have resulted in contested tax revenues equal to 4.7% of the GDP and it is rising.
    - **Less Budgetary Allocation:** The budget allocated to the judiciary is between 0.08 and 0.09% of the GDP. Only four countries — Japan, Norway, Australia and Iceland — have a lesser budget allocation and they do not have problems of pendency like India.
    - **Practice of Seeking Adjournments:** Usually the lower courts seek adjournment ad infinitum.
    - **Lack of Assessment:** When a new legislation is formed, there is no judicial impact assessment done by the government on how much burden is going to be casted on the judiciary.
        The probabilities of generating more litigations or requirement of more judges is not taken into account.
    - **Delay in Judicial Appointment:** <u>Collegium</u> recommendations have been **pending with the government** for over seven months to a year to get approval in order to fill vacancies in High Courts.
        - The total sanctioned judicial strength in the **25 High Courts is 1,080.** However, **the present working strength is 661 with 419 vacancies** as of March 2021.
        - The government has countered that it's the fault of the Collegium and the High Court for delaying the process.

Way Forward

- **Streamlining the Appointment System:** The vacancies must be filled without any unnecessary delay.
    - A proper time frame for the appointment of judges must be laid down and the recommendations must be given in advance.
    - The Constitution of the **All India Judicial Services** is also an important factor which can definitely help India establish a better judicial system.
- **Use of Technologies:** People are becoming more and more aware of their rights and which is why the number of cases filed in court are also increasing.
    To deal with that judicial officers need to be trained, vacancies for the judges must be filled up expeditiously and in addition the use of technology particularly **<u>artificial intelligence</u>** must be encouraged.
- **Out of Court Settlement:** Resolving every case within the court premises is not mandatory; other possible systems must also be accessed.
    There is also a need to promote the alternate dispute resolution mechanism for which the **<u>arbitration and conciliation</u>** act has been amended three times to ensure that people go for commercial litigation mode and sort it out either by mediation, conciliation or arbitration.

Hate Crime

Why in News

Recently, the **Supreme Court (SC)** quashed **Hate Crime** proceedings initiated against a senior journalist for a Facebook post.

> The SC ruled that petitioners' social media post was only an **expression of truth** in the face of persecution.

Key Points

Background:
> The decision came in Petitioners appeal against the Meghalaya High Court's refusal to quash the proceedings against her under **Sections 153a** (hate), **500 (defamation)** and **505(c)** (incite a community or caste to commit an offence against another) of the **Indian Penal Code (IPC).**
>
> - **Section 153a:**
>   - Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.
>   - It shall be punished with imprisonment which may extend to five years and shall also be liable to fine.
> - **Section 505c:**
>   - With intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community.
>   - It shall be punished with imprisonment which may extend to three years, or with fine, or with both.

Hate Crime

- **About:**
  - Hate crime refers to **criminal acts which are motivated by bias against an individual or social group** because of certain differences, majorly in their religious practices and customs.
  - In contemporary times its meaning has proliferated beyond lynching, discrimination and offensive speeches and now **encompasses speech that is insulting, derogatory or incites and violence.**
  - In totality, Hate Crimes could be **defined as an attack on a person's rights entrusted to him thereby affecting not only him but the social structure as a whole** which in many ways makes it more heinous than many other Criminal Offences.
  - Most **common grounds** of hate speech are **race, ethnicity, religion or class.**
- **Hate Crime in India:**
  - Hate Crime in India is **defined in terms of the harm done to a community at large** rather than an individual's right to freedom of speech and expression and the harm done as a result of hate speech.
  - In India, **hate speech is prohibited** which is **based upon religion, ethnicity, culture or race.**
- **Indian Laws Against Hate Crimes:**
  - Though the term is **nowhere mentioned in any statute**, its different forms are identified across the laws.
  - The **IPC** under **Sections 153A, 153B, 295A, 298, 505(1) and 505(2)25** declares that word, spoken or written, that promotes disharmony, hatred, or insults on basis of **religion, ethnicity, culture, language, region, caste, community, race etc**., is punishable under law.
  - Some other laws which contain provisions concerning hate speech and its prevention are:
    - **The Representation of People Act, 1951.**
    - **Information Technology Act 2000.**
    - **Unlawful Activities (Prevention) Act, 1967.**

Source:TH

RTI Requests Rejections

Why in News

The Centre has **rejected 4.3% of all Right to Information (RTI) requests** in 2019-20, the **lowest ever rate,** according to the **Central Information Commission (CIC)'s annual report.**

Rejection rates have fallen since the 13.9% rate in 2005-06, and have been steadily trending downwards since the 8.4% spike in 2014-15.

Key Points

- **Rejection without Reason:** Almost **40% of these rejections did not include any valid reason,** as they did not invoke one of the permissible **exemption clauses** in the **Right to Information (RTI) Act.**
  - These rejections are classified under the **'Others' category** in the CIC data.
  - The Finance Ministry alone rejected **40% of its total RTI** requests without providing a valid reason under the Act.
  - **More than 90% of rejections** by the **Prime Minister's Office, the Delhi High Court, the Comptroller and Auditor General,** among others fell into the **"Others" category.**
- **Maximum Rejections:** The **Home Ministry** had the **highest rate of rejections,** as it rejected 20% of all RTIs received.
  The Delhi Police and the Army also saw increases in rejection rates.
- **Ground for Rejection of the RTI Requests:**
  - **Section 8(1)** deals with the **exemption** from disclosure of information:
    - If it is related to the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence,
    - Information including commercial confidence, trade secrets or intellectual property,
    - Information, the disclosure of which would endanger the life or physical safety of any person,
    - Information which would impede the process of investigation or prosecution of offenders,
    - Information which relates to personal information the disclosure of which has no relationship to any public activity or interest.
    - Of the permissible grounds for rejection, **Section 8(1**) was used in around **46% of the cases.**
  - **Section 9:**
    It empowers the Central Public Information Officer or State Public Information Officer to reject a request for information which involves an infringement of copyright.
  - **Section 24:**
    - It exempts information related to security and intelligence organisations except allegations of corruption and human rights violations.
    - Around one in five **(20%) permissible rejections** coming under this category.

Right to Information (Amendment) Act, 2019

- It provided that the Chief Information Commissioner and an Information Commissioner (of Centre as well as States) shall hold office for such terms as **prescribed by the Central Government.**

    Before this amendment, their term was **fixed for 5 years.**
- It provided that the salary, allowances and other service conditions of the Chief Information Commissioner and an Information Commissioner (of Centre as well as States) shall be such **as prescribed by the Central Government.**

    Before this amendment, the salary, allowances and other service conditions of the Chief Information Commissioner were similar to those of the Chief Election Commissioner and that of an Information Commissioner were similar to those of an Election Commissioner (State Election Commissioners in case of States).
- It removed the provisions regarding deductions in salary of the Chief Information Commissioner, an Information Commissioner, the State Chief Information Commissioner and a State Information Commissioner due to pension or any other retirement benefits received by them for their previous government service.

Central Information Commission

- **Established:**

    The Central Information Commission was established by the Central Government in 2005, under the provisions of the Right to Information Act (2005). It is not a constitutional body.
- **Members:**

    The Commission consists of a Chief Information Commissioner and not more than ten Information Commissioners.

    At present (2019), the Commission has six Information Commissioners apart from the Chief Information Commissioner.
- **Appointment:**

    They are appointed by the President on the recommendation of a **committee consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and a Union Cabinet Minister** nominated by the Prime Minister.
- **Tenure:**
    - The Chief Information Commissioner and an Information Commissioner shall hold office for such terms **as prescribed by the Central Government** or until they attain the **age of 65 years,** whichever is earlier.
    - They are not eligible for reappointment.
- **Power and Functions of CIC:**
    - It is the duty of the Commission to receive and inquire into a complaint from any person regarding information request under RTI, 2005.
    - The Commission can order an inquiry into any matter if there are reasonable grounds **(suo-moto power).**
    - While inquiring, the Commission has the powers of a **civil court** in respect of summoning, requiring documents etc.

African Elephants

Why in News

The **International Union for Conservation of Nature (IUCN)** has declared **African Forest** and **Savanna (or bush)** elephants as **'critically endangered'** and **'endangered'** respectively.

> Earlier, African elephants were treated as a single species, listed as Vulnerable. This is the **first time the two species have been assessed separately** for the IUCN Red List.

Key Points

- **About:**
    - African elephants are the largest land animals on Earth. They are slightly larger than Asian elephants.
    - They have **two fingerlike features on the end of their trunk** while Asian elephants have just one.
    - Elephants are **matriarchal,** meaning they live in female-led groups.
    - African elephants are **keystone species,** meaning they play a critical role in their ecosystem. Also known as **"ecosystem engineers,"** elephants shape their habitat in many ways.
    - Elephants have a **longer pregnancy than any other mammal**—almost 22 months. This compounds the problem of conservation since there are simply not enough calves being born to make up for the losses from poaching.
    - There are **two subspecies** of African elephants, the **Savanna (or bush) elephant** and the **Forest elephant.** Savanna elephants are the larger of two.
- **African Savanna Elephant:**
    - **Scientific Name:** Loxodonta africana
    - **Decline:** Dropped by 60% in the last 50 years.
    - **IUCN Status:** Endangered
    - **Habitat:** Plains of sub-Saharan Africa

- **African Forest Elephant:**
    - **Scientific Name:** Loxodonta cyclotis
    - **Decline:** Dropped by 86% in the last 31 years.
    - **IUCN Status:** Critically Endangered
    - **Habitat:** Forests of Central and West Africa. They rarely overlap with the range of the savanna elephant.
        - The forest elephant has a **more restricted natural distribution.** Therefore, its decline is especially worrying.
        - While savanna elephant populations can bounce back given sufficient protection, the forest elephant is likely to recover much more slowly.
        - **Law enforcement** is also more problematic in many Central African countries which are home to the forest elephant.
- **Threats:**
    - **Poaching** for the illegal ivory trade.
      Regions with high levels of poverty and corruption are more likely to have higher poaching rates. This suggests that **helping communities develop sustainable livelihoods** could reduce the lure of poaching.
    - **Habitat Loss:** Increasing human population, and conversion of land for agriculture and development.

Asian Elephants

- There are **three subspecies of Asian elephant** which are the **Indian, Sumatran and Sri Lankan.**
- **Global Population:**
      Estimated 20,000 to 40,000.
- The Indian subspecies has the widest range and accounts for the majority of the remaining elephants on the continent.
- There are around 28,000 elephants in India with around **25% of them in Karnataka.**

Source: DTE

Garhwal Forts

Why in News

Recently, a study has identified **193 sites having either intact or ruins of Garhwal forts and fortalices** spread along the north, east and southern regions of the Garhwal Himalayas.

This is the first of its kind database. A total of **36 major forts** and **12 prominent fort clusters** have been identified.

Key Points

- **Garhwal Forts:**
  - **About :**
    - A majority of **medieval forts in the Garhwal Himalayas** of Uttarakhand were strategically built to form clusters.
    - The forts, dating back to the **8th century** Common Era (CE), were built at diverse altitude zones like valleys, along the ridges and prominent hilltops, some **standing more than 3,000 metres above Mean Sea Level (MSL)** in the Garhwal Himalayas.
    - These well networked forts were built either during or after the downfall of the **Katyuri dynasty.**
  - **Importance:**
    - Geographically, the forts were built away from one another. But the ruler's back then ensured that they were **surrounded with smaller fortalices,** which **primarily functioned as watchtowers.**
    - These fortalices were erected and positioned around 15 km periphery of a major fort.
    - Numerous such fortalices then formed a strategic network, **enabling them to relay information, particularly when invaded by enemies.**
      - **Fire, smoke or similar light signals** could have been the common means to convey messages.
- **History of Garhwal:**
  - **Katyuri Dynasty:**
    - History suggests that between 700 CE and 800 CE, the rulers of the **Katyuri dynasty** divided this region into many small mandals or units for administrative purposes.
    - However, as the dynasty began to politically weaken around the turn of the millennium, these units came under the rule of Garhpatis or chiefdoms, each of whom built individual forts.
  - **Foreign Attacks:**
    - Since the Garhwal Himalayas are located en route to many religious places, it often came under foreign attacks and faced enemy invasions, mainly led by the **Nepalese and the Tibetans.**
    - The invasion by Askochalla and Krachalla, two Nepalese kings during 1100–1200 CE, is considered among the first foreign attacks here.
  - **Consolidation:**
    - By the 15th century, King Ajaypal, the **37th king of the Parmar dynasty, consolidated all these multiple chiefdoms** in the region into a single state. This is the present day Garhwal.

Katyuri Dynasty

- The Katyuri kings were a **medieval ruling clan** of present-day Uttarakhand, India. They ruled over the region now known as Kumaon from 700 to 1200 CE.

- The Katyuri dynasty was **founded by Vashudev Katyuri** (sometimes spelled Vasu Dev or Basu Dev).
- At its peak, the **Katyuri dynasty of Kumaon extended from Sikkim in the east to Kabul, Afghanistan in the west,** before fragmenting into numerous principalities by the 12th century.

Source:IE

NPNT Compliance: Drone Operations

Why in News

Recently, the **Ministry of Civil Aviation** has granted permits to **"No-Permission-No-Takeoff" (NPNT)** compliant drone operations at **34 additional green zones** to **facilitate, smoothen, and promote** drone operations in the country.
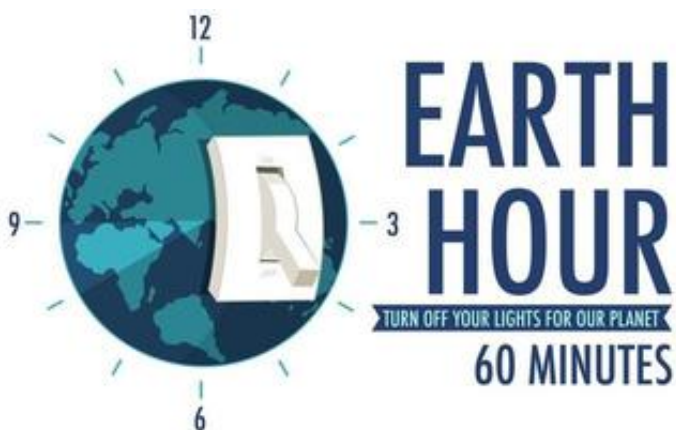
Key Points

- **About:**
  - **NPNT** is **a software program** that enables every Remotely Piloted Aircraft (except Nano) to obtain a valid permission through **DigitalSky platform** before operating in India.
    - **Remotely Piloted Aircraft (RPA)** is defined as an Unmanned Aircraft (UA), which is piloted from a remote pilot station. Drone is a layman terminology for UA.
    - **DigitalSky is a Ministry of Civil Aviation initiative,** a highly secure and scalable platform which supports technology frameworks such as NPNT designed for **enabling flight permission digitally and managing Unmanned Aircraft operations and traffic efficiently.**
  - If a NPNT compliant drone tries to breach geo-fencing (to go beyond the permissible boundary in the airspace), the in-built software will compel the drone to return-to-home (RTH).
  - Drone flights in the green zone sites **shall be compliant with the applicable conditions of Unmanned Aircraft System (UAS) Rules, 2021.**
  - **Flying in the 'green-zones' require only intimation of the time and location** of the flights.
    Permissions are required for flying in 'yellow zones' and flights are not allowed in the 'red zones'.

- **Unmanned Aircraft System (UAS) Rules, 2021:**
  - **UAS categorised as airplane, rotorcraft and hybrid** with further categorisation as remotely piloted aircraft, model remotely piloted aircraft and autonomous unmanned aircraft system.
  - **UA** is **classified as nano, micro, small, medium and large unmanned aircraft** based on the maximum all up weight.
  - **Mandatory for individuals and companies to obtain approval from the Directorate General of Civil Aviation (DGCA)** to import, manufacture, trade, own or operate drones.
  - **No Permission- No Take-off (NPNT) policy** adopted for all UAS except for those in the nano category.
  - Micro and small UAS are not permitted from flying above 60m and 120m, respectively.
  - **UAS prohibited from flying in strategic and sensitive locations,** including near airports, defence airports, border areas, military installations/facilities and areas earmarked as strategic locations/vital installations by the Ministry of Home Affairs.
  - Research and development (R&D) organisations, including start-ups, authorised UAS manufacturers, any accredited recognised institution of higher education located in India, are **permitted to carry out R&D of UAS** only after obtaining authorisation from the DGCA.
  - **Penalties** ranging between **rupees ten thousand and one lakh for individuals,** and for **organisations, a 200, 300 and 400% of the amount specified for individuals,** based on the size of the organisation.

Earth Hour

Why in News

The **Earth Hour** is being observed on **27th March 2021.**

Key Points

- **About:**
  - Earth Hour is the **World Wildlife Fund for Nature (WWF)'s** annual initiative that began in 2007.
  - It is **held every year on the last Saturday of March.**
  - It **encourages people** from more than 180 countries to **switch off the lights from 8.30 pm to 9.30 pm as per their local time.**
  - The idea is to refrain from the use of non-essential lighting to save energy in a **symbolic call for environmental protection.**
- **Impact:**
  - Earth Hour has become a **catalyst for positive environmental impact,** driving major legislative changes by harnessing the power of the people and collective action.
  - **Examples:** It helped
    - Create a **3.5 million hectare marine-protected area in Argentina.**
    - **Ban all plastics in the Galapagos in 2014.**
    - Plant **17 million trees in Kazakhstan.**
    - Light up homes with **solar power in India and the Philippines.**
    - Push new legislation for the **protection of seas and forests in Russia.**

World Wildlife Fund for Nature

- **About:**
  It is the **world's leading conservation organization** and works in more than 100 countries.
- **Established:**
  It was **established in 1961** and is **headquartered at Gland, Switzerland**
- **Mission:**
  To conserve nature and reduce the most pressing threats to the diversity of life on Earth.

Source:TH