



Withdrawal of Personal Data Protection Bill

For Prelims: Data Protection, Personal Data, Privacy, Personal Data Protection Bill, Data Localisation, Other Related Laws

For Mains: Significance of Personal Data Protection, Challenges in safeguarding data, Measures for implementation of data protection bill

Why in News?

The government of India has withdrawn the [Personal Data Protection Bill](#) from [Parliament](#) as it considers a **“comprehensive legal framework”** to regulate the online space to boost innovation in the country **through a new bill**.

What was the Personal Data Protection Bill & Its Major Challenges?

▪ About:

- **The Personal Data Protection Bill, 2019** was introduced in [Lok Sabha](#) by the Minister of Electronics and Information Technology, on December 11, 2019.
- Commonly referred to as the **“Privacy Bill”**, it intended to **protect individual rights** by regulating the collection, movement, and processing of data that is personal, or which can identify the individual.

▪ Challenges:

- Many contend that the **physical location of the data** is not relevant in the cyber world as the **encryption keys may still be out of reach** of national agencies.
- National security or reasonable purposes are **open-ended and subjective terms**, which may lead to intrusion of the state into the private lives of citizens.
- Technology giants like **Facebook and Google are against it** and have criticised the protectionist policy of [data localisation](#) as they are afraid it would have a domino effect in other countries as well.
 - It had been **opposed by social media firms**, experts and even ministers, who said that it had **too many loopholes to be effective** and beneficial for both users and companies.
 - Also, it may backfire on **India’s own young startups** that are attempting global growth, or on larger firms that process foreign data in India.

Why has the Bill been withdrawn?

▪ Too Many Amendments:

- [The Joint Committee of Parliament](#) analyzed the Personal Data Protection Bill, 2019 in detail.
 - **81 amendments were proposed and 12 recommendations were made** towards a comprehensive legal framework on the [digital ecosystem](#).
 - Considering the report of the JCP, **a comprehensive legal framework is being worked upon**.
 - Hence, it is proposed to withdraw.

- **Compliance Intensive:**
 - The Bill was also seen as **being too “compliance intensive”** by startups of the country.
 - The revamped bill will be much **easier to comply with**, especially for startups.
- **Issues with Data Localisation:**
 - The tech companies questioned a proposed provision in the Bill called **Data Localisation**.
 - Under data localisation, it would have been **mandatory for companies** to store a copy of certain sensitive personal data **within India**, and the **export of undefined “critical” personal data** from the country would be **prohibited**.
 - The activists had criticised that it **would allow the central government** and its agencies blanket exemptions from adhering to any and all provisions of the Bill.
- **Pushback from Stakeholders:**
 - The bill had faced **major push back from a range of stakeholders** including big tech companies such as Facebook and Google, and privacy and civil society activists.
- **Delay in Implementation:**
 - The delays in the Bill had been criticised by several stakeholders pointing out that it was a matter of grave concern that India did not have a basic framework to protect people’s privacy.

What did the Joint Committee of Parliament Recommend?

- It proposed **81 amendments to the Bill** finalized by the Srikrishna panel, and **12 recommendations** including **expanding the scope of the proposed law to cover discussions on non-personal data**, thereby changing the mandate of the Bill from personal data protection to broader data protection.
 - **Non-personal data** is any set of data that **does not contain personally identifiable information**.
- The JCP’s report also recommended changes on issues such as **regulation of social media companies**, and on using only **“trusted hardware”** in smartphones, etc.
- It proposed that social media companies that do not act as intermediaries should be treated as **content publishers, making them liable for the content they host**.

Way Forward

- **Data Localisation:**
 - The data should be stored in a region that is trusted by the Indian government, and that data should be accessible in the event of a crime.
 - The government may also consider allowing **cross-border data flows only to “trusted geographies”**.
- **Classification of Data:**
 - The new Bill could also **do away with classification of personal data** from the perspective of data localisation, and only use classification for awarding damages to people whose personal data may have been compromised by an entity.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. ‘Right to Privacy’ is protected under which Article of the Constitution of India?

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

Ans: (c)

Explanation:

- In Puttaswamy v. Union of India case, 2017, the Right to Privacy was declared a fundamental right by the Supreme Court.
- **Right to Privacy** is protected as an intrinsic part of the Right to Life and Personal Liberty under **Article 21** and as a part of the freedoms guaranteed by Part III of the Indian Constitution.
- Privacy safeguards individual autonomy and recognizes one's ability to control vital aspects of his/her life. Privacy is not an absolute right, but any invasion must be based on legality, need and proportionality.
- **Therefore, option (c) is the correct answer.**

Q. Right to Privacy is protected as an intrinsic part of Right to Life and Personal Liberty. Which of the following in the Constitution of India correctly and appropriately imply the above statement? (2018)

- (a) Article 14 and the provisions under the 42nd Amendment to the Constitution.
(b) Article 17 and the Directive Principles of State Policy in Part IV.
(c) Article 21 and the freedoms guaranteed in Part III.
(d) Article 24 and the provisions under the 44th Amendment to the Constitution.

Ans: (c)

Explanation:

- In 2017, a nine-judge bench of the Supreme Court (SC) in its verdict in Justice K.S. Puttaswamy v. Union of India case unanimously affirmed that the Right to Privacy is a Fundamental Right under the Indian Constitution.
- The SC bench held that the privacy is a Fundamental Right as it is intrinsic to guarantee of life and personal liberty as provided under Article 21 of the Constitution.
- The bench also stated that the elements of privacy also arise in varying contexts from the other facets of freedom and dignity recognised and guaranteed by the Fundamental Rights contained in Part III of the Constitution.
- **Therefore, option (c) is the correct answer.**

Mains

Q. Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy. (2017)

Source: IE

Mother's Right to Decide Surname of Child

For Prelims: Guardianship Laws in India

For Mains: Supreme Court Judgments on guardianship

Why in News?

Recently, the [Supreme Court](#) ruled that the mother, being the only natural guardian of the child after the death of the biological father (husband), has the **right to decide the surname of the child**.

- The court was dealing with a plea challenging a judgement passed by the High Court of Andhra Pradesh in January 2014, which asked to **restore the child's surname to the previous one** and to show **the name of the late husband in records** as his natural father and if that is not possible, **to mention the new husband as his stepfather**.

What did the SC Rule?

- Surname is **not only indicative of lineage and should not be understood just in the context of history, culture and lineage** but more importantly the role it plays with regard to the **social reality along with a sense of being for children** in their particular environment.
- Homogeneity of surname emerges as a **mode to create, sustain and display 'family'**.
- The SC also opined that the mother, being the only natural guardian, also has the **right to give up the child in [adoption](#)**.

What are the Laws Related to Guardianship in India?

- **Hindu Minority and Guardianship Act:**
 - **Indian laws accord superiority to the father** in case of guardianship of a minor (below the age of 18 years).
 - Under the religious law of Hindus, or the **Hindu Minority and Guardianship Act, (HMGA) 1956**, the natural guardian of a Hindu minor in respect of the minor's person or property **"is the father, and after him, the mother"**.
 - Provided the custody of a minor who has not completed the age of five years shall ordinarily be with the mother."
- **Guardian and Wards Act of 1890 (GWA):**
 - It deals with the **appointment of a person as a 'guardian' to a child**, both with respect to the child and property.
 - Child custody, guardianship and visitation issues between parents are determined under the GWA, if a natural parent wants to be declared as an exclusive guardian to his/her own child.
 - Upon disputes between parents in a petition under the GWA, read with the HMGA; **guardianship and custody can be vested with one parent with visitation rights to the other parent**.
 - In doing so, the welfare of the minor or **"best interests of the child"** shall be of **paramount consideration**.

What is Understood by 'Best Interests of the Child'?

- India is a signatory to the [United Nations Convention on the Rights of the Child \(UNCRC\)](#).
- The definition of "best interests of the child" has been incorporated from the [Juvenile Justice \(Care and Protection of Children\) Act, 2015](#).
- The "best interests of the child" means **"the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development" and is paramount in any custody battle**.
- **Muslim Personal Law (Shariat) Application Act, 1937:**
 - It says that the Shariat or the religious law will apply in case of guardianship according to which the **father is the natural guardian**, but **custody vests with the mother until the son reaches the age of seven** and the **daughter reaches puberty** though the father's right to general supervision and control exists.
 - The concept of Hizanat in Muslim law states that the welfare of the child is above all else.
 - This is the reason why Muslim law **gives preference to the mother over father in the matter of custody** of children in their tender years.
- **Supreme Court Judgements:**

- The [Supreme Court's landmark judgement in Githa Hariharan v. The Reserve Bank of India](#) in 1999 provided partial relief.
- In this case, the HMGA was challenged for violating the guarantee of equality of sexes under [Article 14](#) of the Constitution of India.
 - Article 14 says that no person shall be denied treatment of equality before the law or the equal protection of the laws within the territory of India.
- The court held that the term **“after”** should not be taken to mean “after the lifetime of the father”, but rather **“in the absence of the father”**.
 - However, the judgement failed to recognise both parents as equal guardians, subordinating a mother’s role to that of the father.
- Though the judgement sets a precedent for courts, it has **not led to an amendment to the HMGA**.

Way Forward

- A **child-centric human rights jurisprudence** that has evolved over a period of time is founded on the principle that public good demands proper growth of the child, who is the future of the nation.
 - Therefore, shared or **joint parenting with equal rights can be a viable**, practical, balanced solution for the child’s optimal growth.
- The [Law Commission of India](#) in its 257th report on **“Reforms in Guardianship and Custody Laws in India”** in May 2015 recommended that the **“superiority of one parent over the other should be removed”**.
 - Both the mother and the father should be regarded, simultaneously, as the natural guardians of a minor.
 - The HMGA **should be amended to “constitute both the father and the mother as being natural guardians** ‘jointly and severally,’ having equal rights in respect of a minor and his property.

[Source: IE](#)

Governing Telecommunication in India

For Prelims: Department of Telecommunications (DoT), Indian Telegraph Act, Mobile Virtual Network Operators (MNVO), 5G, Average Revenue Per User (ARPU), Telecom Regulatory Authority of India (TRAI)

For Mains: Significance of Telecommunication Sector in India and the need for its Regulation

Why in News?

Recently, The **Department of Telecommunications (DoT)** under the **Ministry of Communications** has invited input on the need to revise the legal framework governing the telecom sector.

- It has also released a **consultation paper** which suggested the need for a new legal framework that is **clear, exact, and in tune with the altering occasions** and applied sciences.

Why the Need for a New Framework?

- The legal foundation for telecommunications in India is defined by laws created long before India's independence.

- Technology has advanced substantially in recent decades since the [Indian Telegraph Act](#), came into force on October 1, 1885. Hence, the stakeholders have been demanding evolution of legal framework to keep it in tune with changing technology.

What are the Suggestions?

- **Collaborative Regulation:**
 - To evolve a new **legal framework enabling spectrum utilization in a liberalized and technologically impartial method.**
 - Also, guarantee flexibility to the central authorities for spectrum utilization in the public curiosity.
- **Rethink Frequency Range:**
 - The law needs to contain provisions for **re-framing and harmonization of the frequency range.**
- **Simple Framework:**
 - To further, **simplify the framework** for mergers, demergers, and acquisitions, or different types of restructuring.
 - To strike a crucial balance between continuity of service and safeguarding public interests.
- **Enhance Security:**
 - Must have applicable provisions for **addressing conditions of public emergency, and public security** and for taking measures within the pursuits of nationwide safety.
- **Continuation of Service:**
 - In case of insolvency-related issues in the telecom sector, the focus should be on continuity of service.
 - The proceedings **should not lead to suspension of license as long as the services continue to be provided**, and there is no default in payment of dues against the telecom license or use of spectrum.

What is the Present Status of the Telecom Sector in India?

- **About:**
 - The telecommunications industry is divided into the following subsectors: **Infrastructure, Equipment, Mobile Virtual Network Operators (MNVO), White Space Spectrum, 5G, Telephone service providers, and Broadband.**
 - The Telecom industry in India is the **second largest in the world with a subscriber base of 1.17 bn** as of April 2022 (wireless + wireline subscribers). India has an of which,
 - The teledensity (the number of telephone connections for every hundred individuals living within an area) of the rural market, which is largely untapped, stands at 58.16% while the teledensity of the urban market is 134.70%.
 - The Telecom sector is the **3rd largest sector in terms of FDI inflows, contributing 7% of total FDI inflow, and contributes directly to 2.2 mn employment and indirectly to 1.8 mn jobs.**
 - Between 2014 and 2021, the FDI inflows in the Telecom sector rose by 150% to \$20.72 bn from \$8.32 bn during 2002-2014.
- **Issues:**
 - **Declining Average Revenue Per User (ARPU):** ARPU's decline now is sharp and steady, which, combined with falling profits and in some cases, serious losses, is prompting the Indian telecom industry to look at consolidation as the only way to boost revenues.
 - **Lack of Telecom Infrastructure in Semi-rural and Rural areas:** Service providers have to incur huge initial fixed costs to enter semi-rural and rural areas.
 - **Pressure on Margins Due to Stiff Competition:** With competition heating up post entry of Reliance Jio, other telecom players are feeling the heat of a substantial drop in tariff rates both for voice call and data (more significant for data subscribers).
- **Government Initiatives:**
 - The Department of Information Technology intends to **set up over 1 million internet-enabled common service centres across India** as per the [National e-Governance Plan](#).
 - FDI cap in the telecom sector has been increased to 100% from 74%. Out of 100%, 49% will be done through the automatic route and the rest will be done through the **Foreign**

Investment Facilitation Portal (FIPB) approval route.

- FDI of up to 100% is permitted for infrastructure providers offering dark fiber, electronic mail, and voicemail.
- In 2021, the Union Cabinet approved a [number of structural and process reforms in the Telecom sector.](#)

Way Forward

- A proactive and facilitatory government role in the telecom sector is the need of the hour given the huge opportunities provided by the sector.
 - Independent and statutory body, [Telecom Regulatory Authority of India \(TRAI\)](#) has an important role to play as a watchdog of the sector.
- A more proactive and timely Dispute Resolution by **TDSAT** (Telecom Disputes Settlement and Appellate Tribunal) is the need of the hour.
- The new regulatory act must contain relevant provisions on taking measures to ensure emergency situations, public safety and national security.
 - Further, the punishment must be proportionate to the violation, with this in mind, the new law needs to be updated, bringing together various provisions on fines and offences.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. In India, the term “Public Key Infrastructure” is used in the context of (2020)

- (a) Digital security infrastructure
- (b) Food security infrastructure
- (c) Health care and education infrastructure
- (d) Telecommunication and transportation infrastructure

Ans: (a)

Exp:

- Public Key Infrastructure (PKI) is a technology for authenticating users and devices in the digital world. Under this system, one or more trusted parties digitally sign documents certifying that a particular cryptographic key belongs to a particular user or device. The key can then be used as an identity for the user in digital networks. **Therefore, option (a) is the correct answer.**

Source: ET

Inner - Party Democracy

For Prelims: Indian Constitution, British Constitution, Indian Parliament, British Parliament

For Mains: Comparison of Indian Constitution with Constitution of other countries, Powers of MPs and hindrance to their liberty

Why in News?

Recently, **Boris Johnson (Former UK's Prime Minister)** has been ousted as leader of the **British Conservative Party** in a series of coups periodically mounted by the party's [Members of Parliament](#) against him.

- This calls for India to seriously consider empowering its elected representatives, to ensure accountability for party leadership.

How are Members of Parliament elected in the United Kingdom?

- **To become an MP** representing a main political party, a candidate must be **authorised** to do so by the **party's nominating officer**. They must then **win the most votes** in the constituency.
 - **They do not owe their nomination to the party leader**, but are selected by the **local constituency party**.
- The UK is divided into **650 areas called constituencies**.
 - During an election, everyone eligible to cast a vote in a constituency selects one candidate to be their MP.
 - The candidate who gets the most votes become the MP for that area until the next election.
 - If an MP **dies or retires**, a **by-election** is held in that constituency to find a new MP for that area.
- At a general election, **all constituencies become vacant and a Member of Parliament is elected for each** from a list of candidates standing for election.
 - General elections happen **every five years**.

How are Members of Parliament elected in India?

- **Parliament of India** consists of two houses and members are elected for each one of them.
 - **Lok Sabha:**
 - It is also called [The House of the People](#).
 - **Election of Representative:**
 - For electing representatives, each state is divided into **territorial constituencies**.
 - Representatives are elected from **each constituency** using the **First-past-the-post system**, the candidate who secures the **majority of votes is declared elected**.
 - **By the Union Territories (Direct Election to the House of the People) Act, 1965**, the members of Lok Sabha from the UTs are chosen by direct election.
 - **Rajya Sabha:**
 - It is also called [The Council of States](#).
 - **Election of Representative:**
 - The representatives of states are elected by the **members of state legislative assemblies**.
 - The representatives of each [Union Territory](#) in the Rajya Sabha are **indirectly elected by members of an electoral college specially constituted for the purpose**.
 - Only three UTs (**Delhi, Puducherry and Jammu & Kashmir**) have representation in Rajya Sabha (others don't have enough population).
 - **The members nominated by the [President](#)** are those who have special knowledge or practical experience in art, literature, science and social service.
 - The rationale is to provide eminent persons a place in the house without going through elections.

What Powers does an MP have in the UK against the Prime Minister?

- A Prime Minister **has to be able to maintain the confidence** of his ministers at all time to run a stable government.
- If there is a sense that the **leader is no longer acceptable to the country**, then a well-structured mechanism come **into action to protect the party's electoral gains** by providing fresh leadership.
- **Individual Conservative MPs** write to the **1922 Committee (which comprises backbench MPs, and looks out for their interests)** expressing that they have **"no confidence"** in their leader.
 - If a numerical or percentage threshold (**15% of the party's MPs in the U.K.**) is breached, **an automatic leadership vote is triggered**, with the party leader **forced to seek a fresh mandate from the parliamentary party**.

What Powers does an MP have in India against the Prime Minister?

- **No Confidence Motion:**
 - A **no-confidence motion** is a **parliamentary motion** which is moved in the **Lok Sabha** against the **entire council of ministers**, stating that they are **no longer deemed fit to hold positions of responsibility due to their inadequacy in some respect or their failure to carry out their obligations**.
 - No prior reason needs to be stated for its adoption in the Lok Sabha.
 - A motion of "No Confidence Motion" against the Government can be introduced **only in the Lok Sabha under rule 198**.
 - The Constitution of India **does not mention about either a Confidence or a No Confidence Motion**.
 - Although, **Article 75** does specify that the Council of Ministers shall be **collectively responsible to the Lok Sabha**.
 - A motion of No Confidence can be admitted when **a minimum of 50 members support the motion in the house**.
 - The Speaker then, once satisfied that the motion is in order, will **ask the House if the motion can be adopted**.
 - If the motion is passed in the house, the **Government is bound to vacate the office**.
 - A no-confidence motion needs a majority vote to pass the House.
 - **If individuals or parties abstain from voting**, those numbers will be **removed** from the overall strength of the House and then the majority will be taken into account.

What can be considered as Hindrance to MPs Liberty in India?

- **Anti-Defection Law:**
 - The anti-defection law **punishes individual Members of Parliament (MPs)/MLAs** for leaving **one party for another**.
 - Parliament added it to the Constitution as the **Tenth Schedule in 1985**. Its purpose was to **bring stability to governments** by discouraging legislators from changing parties.
 - The Tenth Schedule - popularly known as the Anti-Defection Act - was included in the **Constitution via the 52nd Amendment Act, 1985**.
 - It sets the **provisions for disqualification** of elected members on the grounds of defection to another political party.
 - It was a response to the **toppling of multiple state governments by party-hopping MLAs** after the general elections of 1967.
 - However, it allows a group of MP/MLAs to join (i.e., merge with) another political party without inviting the penalty for defection. And it does not penalize political parties for encouraging or accepting defecting legislators.
 - As per the 1985 Act, a **'defection' by one-third of the elected members of a political party** was considered a 'merger'.
 - But the **91st Constitutional Amendment Act, 2003**, changed this and now at

least two-thirds of the members of a party must be in Favour of a "merger" for it to have validity in the eyes of the law.

- The members disqualified under the law **can stand for elections from any political party for a seat in the same House.**
- The decision on questions as to disqualification on ground of defection are referred to the **Chairman** or the **Speaker** of such House, which is subject to **'Judicial review'**.
 - However, **the law does not provide a timeframe within which the presiding officer has to decide a defection case.**

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. A Parliamentary System of Government is one in which (2020)

- (a)** all political parties in the Parliament are represented in the Government
- (b)** the Government is responsible to the Parliament and can be removed by it
- (c)** the Government is elected by the people and can be removed by them
- (d)** the Government is chosen by the Parliament but cannot be removed by it before completion of a fixed term

Ans: (b)

Explanation:

- A Parliamentary System of Government is one in which the Government is responsible to the Parliament and can be removed by it. In such a system, the role of President or monarch is primarily ceremonial and the Prime Minister along with the cabinet wields effective power.
- According to the Article 75(3) of Constitution of India, the Council of Ministers is collectively responsible to the House of the People (Lok Sabha) which is one the constituents of the Parliament. The rules of Lok Sabha provide a mechanism for testing this collective responsibility. They allow any Lok Sabha MP, who can garner the support of 50 colleagues, to introduce a motion of no-confidence against the Council of Ministers. If the no confidence motion is passed in the Lok Sabha, the government falls.
- **Therefore, option (b) is the correct answer.**

Mains

Q. To what extent, in your view, the Parliament is able to ensure accountability of the executive in India? (2021)

Source: TH

Power Grab in Tunisia

For Prelims: Tunisia Geography, It's Neighbouring Countries and Waterways

For Mains: Effects of change in constitution on the country, Types of Government System

Why in News?

Recently, protests have erupted in **Tunisia** after a **referendum** was passed to approve a **new Constitution** that would **turn the country back into a Presidential System**.



Why have Protests Erupted?

- Turning the country **back into a Presidential System** will institutionalize the **one-man reign of President Kais Saied**, who suspended the **elected Parliament** and awarded more powers to himself in 2021.
- Protestors have warned that the **new Constitution would erase whatever democratic gains Tunisia has made since the 2011 Arab Spring** (Jasmine) revolution and push the country back into an authoritarian slide.

What do we know about the Arab Spring?

- **About Arab Spring:**
 - Arab Spring, wave of **pro-democracy protests** and **uprisings** that took place in the **Middle East and North Africa** beginning in 2010 and 2011, challenging some of the region's entrenched authoritarian regimes.
 - The wave began when **protests in Tunisia and Egypt** toppled their regimes in quick succession, inspiring similar attempts in other Arab countries.
 - **Not every country saw success** in the protest movement, however, demonstrators expressing their political and economic grievances were often **met with violent crackdowns** by their countries' security forces.
- **Tunisia:**
 - Among the countries that saw popular protests bringing down dictatorships in 2011, **Tunisia was the only one that witnessed a successful transition to democracy**.
 - The Arab Spring protests began in Tunisia in December 2010, **leading to the fall of the**

regime of Zine El Abidine Ben Ali, who had been in power since 1987.

- It was also known as **Jasmine Revolution in Tunisia.**
- Ben Ali had to flee the country in the face of the mass uprising.
 - Quickly, **protests spread to other Arab countries such as Egypt, Libya, Bahrain, Yemen and Syria.**
- **Egypt:**
 - While protesters brought down the 30-year-long dictatorship of Hosni Mubarak in Egypt, **the revolution did not last long in that country.**
 - In 2013, the **military seized power** toppling the elected government of President Mohammed Morsi, a Muslim Brotherhood leader.
- **Libya:**
 - In Libya, the protests against Mohammar Gaddhafi slipped into a **civil war**, which saw a **military intervention** by the **North Atlantic Treaty Organisation (NATO).**
 - The NATO intervention toppled the Gaddhafi regime (the Libyan leader was later assassinated), but the **country fell into chaos and anarchy, which continue to haunt it even today.**
- **Other Countries:**
 - **In Bahrain**, the **Shia majority** country ruled by a Sunni monarchy, neighbouring Saudi Arabia sent troops to crush protests in Manama's Pearl Square.
 - **In Yemen**, President Ali Abdullah Saleh had to relinquish power, **but the country fell into a civil war**, leading to the rise of the **Shia Houthi rebels**, who now control capital Sanah, and the subsequent Saudi attack on the impoverished country.
 - **In Syria**, protests turned into a proxy civil war, with President Bashar al-Assad's rivals backing his enemies, and his allies, including Hezbollah, Iran and Russia, backing the regime.

What is the reason behind the Political Crisis in Tunisia?

- **Existing System:**
 - **The 2014 Constitution** put in place a **mixed parliamentary and presidential system.**
 - Both the President and Parliament **were directly elected by the voters.**
 - The **President** was to oversee the **military and foreign affairs**, while the **Prime Minister**, elected with the support of a majority of lawmakers, was in charge of the day-to-day affairs of governance.
- **Problems in Tunisia:**
 - The country had **nine governments between 2011 and 2021.**
 - In the democratic elections, the Islamist Ennahda party, which has ideological links to the pan-Islamist Muslim Brotherhood movement, emerged as a main political force in the country, which upset the secular sections. The polity remained fractious.
 - Its economy was already in a bad shape, and the **COVID-19** crisis made it worse.
 - Tunisia has one of the highest per capita COVID death rates in the world.
 - Amid the mounting economic and healthcare crisis, protests broke out against the government in July last year.
 - Protesters stormed the offices of the Ennahda, the ruling party.
- **Change in Constitution:**
 - **To stop the unrest, Mr. Saied moved in**, sacking the Ennahda-backed Prime Minister Hichem Mechich and suspending Parliament, plunging the country into a constitutional crisis.
 - Under the 2014 Constitution, such crises should be settled by a constitutional court, but the court had not been formed yet.
 - This allowed the President a free hand to rule the country by decrees.
 - He declared a state of **emergency.**
 - Appointed a **Prime Minister** to run the government.
 - **Dissolved the suspended Parliament** earlier this year while simultaneously moving to rewrite the Constitution, awarding himself more powers.

What are the new Changes in Constitution?

- While it leaves most of the **personal freedoms guaranteed by the 2014 Constitution intact**, the new charter seeks to take the country back to the presidential system, undercutting the powers of Parliament.
 - **The President will have ultimate authority to:**
 - Form a government
 - Name Ministers (without Parliament's approval)
 - Appoint judges
 - Present legislation directly to the legislature.
- All the above-mentioned changes would also make it **practically impossible for the lawmakers to remove the President from office.**

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Recently, a series of uprisings of people referred to as 'Arab Spring' originally started from (2014)

- (a) Egypt
- (b) Lebanon
- (c) Syria
- (d) Tunisia

Ans: (d)

Explanation:

- The Arab Spring began in December, 2010 when a Tunisian street vendor Mohammed Bouazizi set himself on fire to protest the arbitrary seizing of his vegetable stand by police over failure to obtain a permit. Bouazizi's sacrificial act served as a catalyst in the so-called Jasmine Revolution in Tunisia.
- Activists in other countries in the region were inspired by the regime change in Tunisia and began to protest similar authoritarian governments in their own nations. The first democratic parliamentary elections in Tunisia were held in October, 2011.
- By early 2011, it had spread into what came to be known as the Arab Spring—a wave of protests, uprisings, and unrest that spread across the Arabic speaking countries in North Africa and the Middle East. Pro-democratic protests, which spread rapidly due to social media, ended up toppling the governments of Tunisia, Egypt, Libya, and Yemen.
- However, in some cases, these protests morphed into full-scale civil wars, as evidenced in countries such as Libya, Syria and Yemen.
- Therefore, option (d) is the correct answer.

Source: TH

Model Tenancy Act

For Prelims: Model Tenancy Act

For Mains: Model Tenancy Act and its Significance

Why in News?

According to Ministry of Housing and Urban Affairs (MoHUA), Model Tenancy Act has been rectified by only four states, i.e., Andhra Pradesh, Tamil Nadu, Uttar Pradesh, and Assam.

What was the Need for Model Tenancy Act?

- The **existing rent control laws are restricting the growth of rental housing and discourage owners from renting out their vacant houses due to fear of repossession.**
- One of the potential measures to unlock the vacant house is to **bring transparency and accountability to the existing system of renting premises and to balance the interests of both the property owner and tenant in a judicious manner.**
 - As per Census 2011, more than 1 crore houses were lying vacant in urban areas.
- Earlier, almost a third of all Indians were living in urban areas, their proportion rising from 31.16% in 2011 to 27.82% in 2001. By 2050, more than half of India would be living in cities or towns, mainly due to migration.

What is the Model Tenancy Act?

- **About:**
 - [The Model Tenancy Act, 2021](#) is to establish Rent Authority to regulate renting of premises and to protect the interests of landlords and tenants and to provide speedy adjudication mechanism for resolution of disputes and matters connected therewith or incidental thereto.
 - It aims at creating a **vibrant, sustainable, and inclusive rental housing market in the country.**
 - It will enable the creation of adequate rental housing stock for all income groups thereby addressing the issue of homelessness.
 - It will enable the institutionalization of rental housing by gradually shifting it toward the formal market.
- **Key Provisions:**
 - **Written Agreement is Mandatory:**
 - A **written agreement** is mandatory between the property owner and the tenant.
 - **Establishes Independent Authority and Rent Court:**
 - Establishes an independent authority in every state and UT for **registration of tenancy agreements** and even a separate court **to take up tenancy related disputes.**
 - **Maximum Limit for Security Deposit:**
 - Limit the **tenant's advance security deposit to a maximum of two months' rent** for residential purposes and to a **maximum of six months** for **non-residential purposes.**
 - **Describes Rights and Obligations of both Landlord and Tenant:**
 - The **landlord** will be responsible for activities like structural repairs except those necessitated by damage caused by the tenant, whitewashing of walls and painting of doors and windows, etc.
 - The **tenant** will be responsible for drain cleaning, switches and socket repairs, kitchen fixtures repairs, replacement of glass panels in windows, doors and maintenance of gardens and open spaces, among others.
 - **24-hour Prior Notice by the Landlord:**
 - A landowner will have to give **24-hour prior notice before entering the rented premises** to carry out repairs or replacement.
 - **Mechanism for Vacating the Premises:**
 - If a landlord has **fulfilled all the conditions stated** in the rent agreement - giving notice etc.- and the **tenant fails to vacate the premises** on the expiration of the period of tenancy or termination of tenancy, the landlord is **entitled to double the monthly rent for two months** and four times after that.
- **Significance:**
 - The authority will provide a **speedy mechanism in resolving disputes** and other related

matters.

- It will help overhaul the legal framework with respect to rental housing across the country.
- It is expected to give a fillip to private participation in rental housing as a business model for addressing the huge housing shortage.

▪ **Challenge:**

- The Act is not binding on the states as land and urban development remain state subjects.

[Source: TH](#)

Food Security and Gender Equality: CARE

For Prelims: Food Security, Gender Quality, Covid-19

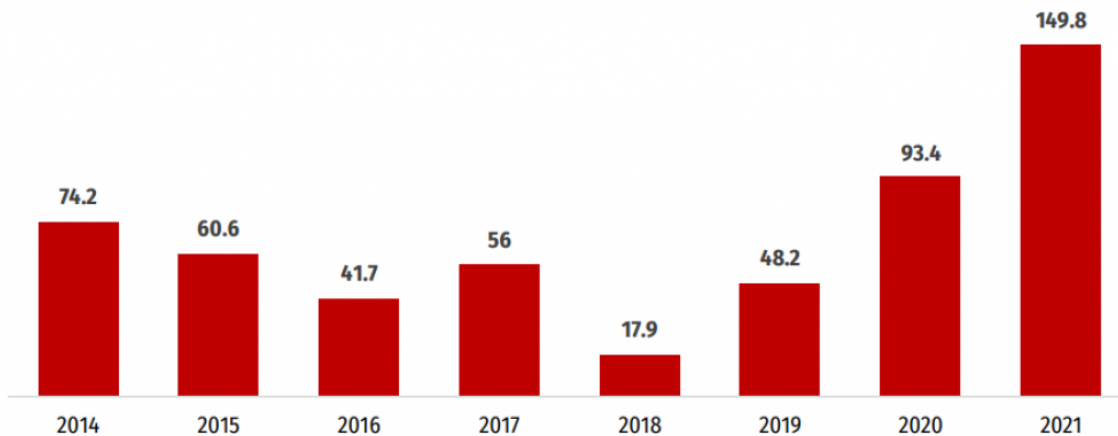
For Mains: Link between Gender Inequality and Food Insecurity

Why in News?

Recently, a report was released named “**Food Security and Gender Equality: A synergistic understudied symphony**”, which highlighted a **global link between [Gender Inequality](#) and [Food Insecurity](#)**.

- The Report was released by CARE, which is an international humanitarian organisation **fighting global poverty and world hunger** by working alongside women and girls.

How many more women are hungry than men (in millions)



What are the Findings of the Report?

▪ **Growing Gender Gap in Food Security:**

- The gap between men and women’s **food security is growing worldwide.**
 - As many as 828 million people were affected by hunger in 2021. Among them, 150 million more women were food insecure than men.
- **Across 109 countries**, as gender inequality goes up, **food security goes down.**
 - Between 2018 and 2021, the number of hungry women versus hungry men **grew 8.4 times, with a staggering 150 million more women** than men hungry in 2021.

- **Gender Inequality and Malnourishment:**
 - Gender equality is **highly connected to food and nutrition security at a local, national, and global level.**
 - The more gender inequality in a country, the **hungrier and more malnourished people are.**
 - Nations with high gender inequality, such as **Yemen, Sierra Leone and Chad**, experienced the **lowest food security and nutrition.**
- **Women Bear Bigger Burdens:**
 - Even when both men and women are technically food insecure, **women often bear bigger burdens**, in this situation men are found eating smaller meals and women are found skipping meals.
 - In Lebanon, at the beginning of the [Covid-19 pandemic](#), 85% of people reduced the number of meals they ate. At the time, 85% of women were eating smaller portions, compared to only 57 % of men.
- **Women Employed Experienced less Food Insecurity:**
 - When women are employed and earning money or when they are directly involved in farming, **they are less likely to experience food insecurity.**
- **Women more Likely to Live in Poverty:**
 - Women are more likely than men to live in extreme poverty, because their work is **underpaid or not paid at all.**
 - Even before the Covid-19 pandemic, women took on **three times as much unpaid work as men.**

What are the Recommendations?

- As women keep feeding the world, they must be **given the right space in the data collection methods** and analysis to **make the gaps they encounter visible** and work with women themselves to find solutions to those gaps.
- It is time to update **global understanding of food security and gender inequality**, and local actors, including women's organisations in crisis-affected communities, need to get the flexible funding and support desperately needed to protect women and girls from hunger-associated gender-based-violence and protection risks.
- All the [SDGs](#) depend on the achievement of **Goal 5: Achieve gender equality and empower all women and girls**. Gender equality by 2030 **requires urgent action to eliminate the many root causes of discrimination** that still curtail women's rights in private and public spheres.

What are the Initiatives Related to Food Security and Gender Equality?

- **Global:**
 - [International Women's Day \(8th march\)](#)
 - [UN Women](#)
 - [UN Decade of Action on Nutrition \(2016-2025\)](#)
 - [Sustainable Development Goal \(2\) of 'Zero Hunger'](#).
 - [World Food Programme \(WFP\)](#)
 - [Global Hunger Index](#)
- **Indian:**
 - [POSHAN Abhiyaan](#)
 - [Antoydaya Anna Yojana \(AAY\)](#)
 - [Integrated Child Development Scheme \(ICDS\)](#)
 - [Mid-day Meal \(MDM\)](#)
 - [Pradhan Mantri Matru Vandana Yojana](#)
 - [Mahila Sabhas in Gram Panchayat](#)
 - [Rashtriya Gram Swaraj Abhiyan \(RGSA\)](#)
 - [Vigyan Jyoti Scheme](#)
 - [KIRAN Scheme](#)
 - [Beti Bachao Beti Padhao Scheme](#)
 - [Mahila e-haat](#)
 - [National Creche Scheme](#)
 - [One Stop Centre Scheme](#)

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. An objective of the National Food Security Mission is to increase the production of certain crops through area expansion and productivity enhancement in a sustainable manner in the identified districts of the country. What are those crops? (2010)

- (a) Rice and wheat only
- (b) Rice, wheat and pulses only
- (c) Rice, wheat, pulses and oil seeds only
- (d) Rice, wheat, pulses, oil seeds and vegetables

Ans: (b)

Exp:

- The National Development Council (NDC) in 2007 adopted a resolution to launch a Food Security Mission comprising rice, wheat and pulses to increase the annual production of rice by 10 million tonnes, wheat by 8 million tonnes and pulses by 2 million tonnes by the end of the Eleventh Plan (2011-12).
- Accordingly, a Centrally Sponsored Scheme, 'National Food Security Mission' (NFSM), was launched in October 2007.
- The Mission continued during the 12th Five Year Plan with new targets of additional production of food grains of 25 million tonnes, which in addition to rice, wheat and pulses comprises 3 million tonnes of coarse cereals by the end of 12th Five Year Plan.
- **Therefore, option (b) is the correct answer.**

Q. Which of the following gives 'Global Gender Gap Index' ranking to the countries of the world? (2017)

- (a) World Economic Forum
- (b) UN Human Rights Council
- (c) UN Women
- (d) World Health Organization

Ans: (a)

Exp:

- The Global Gender Gap Report is published by the World Economic Forum. The report's Gender Gap Index, which is designed to measure gender equality ranks countries, according to the calculated gender gap between women and men in four key areas: health, education, economy and politics to gauge the state of gender equality in a country.
- The Global Gender Gap Report 2021 benchmarks 156 countries on their progress towards gender parity across four thematic dimensions: Economic Participation and Opportunity, Educational Attainment, Health and Survival, and Political Empowerment. In addition, this year's edition studied skills gender gaps related to Artificial Intelligence (AI).
- India ranks 140th in WEF Gender Gap Index-2021.
- Therefore, option (a) is the correct answer.

Mains

Q. What are the salient features of the National Food Security Act, 2013? How has the Food Security Bill helped in eliminating hunger and malnutrition in India? (2021)

India and SDG 13

For Prelims: Sustainable Development Goals (SDGs), United Nations, National Action Plan on Climate Change, Green Climate Fund (GCF)

For Mains: Sustainable Development Goals (SDGs) and India's leading role in achieving the target

Why in News?

Recently, in a written reply to Rajya Sabha Union Minister for State (Environment, Forest & Climate) said that India is constantly achieving its Sustainable Development Goals.

What are Sustainable Development Goals?

- The **Sustainable Development Goals (SDGs)**, also known as the Global Goals, were adopted by the **United Nations** in 2015 as a **universal call to action to end poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity.**
 - It is a set of 17 SDGs which recognize that action in one area will affect outcomes in others and that development must balance social, economic, and environmental sustainability.
 - Countries have committed to prioritizing progress for those who are furthest behind.
 - The SDGs are designed to end poverty, hunger, **AIDS**, and discrimination against women.
 - India in recent years has made significant efforts in achieving the **Goal 13th of the SDGs in particular.**
 - The goal calls for **taking urgent action to combat climate change and its impacts.**



How has India Progressed in Achieving the Climate Action Goals?

- India achieved its pre-2020 voluntary goal. Despite having no binding obligation under the [United Nations Framework Convention on Climate Change \(UNFCCC\)](#), in 2009 India announced its voluntary goal to reduce the emissions intensity of its GDP by 20-25% by 2020 in comparison to 2005 level.
 - India achieved a 24% reduction in emission intensity of its GDP between 2005 and 2016.
- As per the Paris Agreement, India submitted its [Nationally Determined Contributions \(NDCs\)](#) to UNFCCC in 2015 outlining eight targets for the period 2021-2030, including
 - Reducing the emissions intensity of its GDP by 33 to 35% by 2030 from the 2005 level,
 - To achieve about 40% cumulative electric power installed capacity from non-fossil fuel-based energy resources by 2030 with the help of the transfer of technology and low-cost international finance including from the [Green Climate Fund \(GCF\)](#),
 - To create an additional carbon sink of 2.5 to 3 billion tonnes of CO₂ equivalent through additional forest and tree cover by 2030.
 - The other targets pertain to sustainable lifestyles; climate-friendly growth paths; climate change adaptation; climate finance; and technology and capacity building.
 - India's recent initiatives for combatting climate change (and thus achieving SDGs) - **include its goal to achieve net zero emissions by 2070**, and initiatives for [green energy transition](#).

What is National Action Plan on Climate Change (NAPCC)?

- Besides the above-mentioned targets, the Government of India is also implementing the [National Action Plan on Climate Change](#) which provides an overarching policy framework for all climate actions including mitigation and adaptation.
- It comprises eight core Missions in specific areas of solar energy, enhanced energy efficiency, sustainable habitat, water, sustaining Himalayan ecosystems, Green India, sustainable agriculture, and strategic knowledge for climate change.
- 33 States and Union Territories have prepared **State Action Plan on Climate Change (SAPCC)** consistent with the objectives of NAPCC.
- The adaptation activities in the States and Union Territories of India are being supported through

National Adaptation Fund for Climate Change (NAFCC).

- NAFCC is implemented in project mode and to date, 30 adaptation projects have been approved under NAFCC in 27 States and UTs.

Way Forward

- Achieving the SDGs in a country as diverse as India will definitely be a Herculean task, but not unachievable.
- We need to clearly identify priorities, have locally relevant and people-centric development policies, and build strong partnerships.
- The government also needs to have a focused plan for tracking and evaluating impact and scaling up successful interventions.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. Consider the following statements: (2016)

1. The Sustainable Development Goals were first proposed in 1972 by a global think tank called the 'Club of Rome'.
2. The Sustainable Development Goals have to be achieved by 2030.

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

Ans: (b)

Exp:

- The 17 Sustainable Development Goals (SDGs), also known as the Global Goals, are **a universal call for action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity.**
- They are built upon the success of the Millennium Development Goals, including new areas such as climate change, economic inequality, innovation, sustainable consumption, peace and justice, among other priorities.
- The goals are interconnected - often the key to success on one will involve tackling issues more commonly associated with another.
- **Adopted in 2015, SDGs came into effect in January 2016.** They are meant to be achieved by 2030. Hence, statement 2 is correct.
- The SDGs were born at the United Nations Conference on Sustainable Development in Rio de Janeiro in 2012. The Club of Rome advocated resource conservation for the first time in a more systematic way in 1968. Hence, statement 1 is not correct. **Therefore, option (b) is the correct answer.**

Mains

Q. Access to affordable, reliable, sustainable and modern energy is the sine qua non to achieve Sustainable Development Goals (SDGs)." Comment on the progress made in India in this regard. (2018)

Q. National Education Policy 2020 is in conformity with the Sustainable Development Goal-4 (2030). It intends to restructure and reorient education system in India. Critically examine the statement. (2020)

[Source: PIB](#)

Pharmacopoeia Commission for Indian Medicine

For Prelims: Ministry of AYUSH, AYUSH Drugs, Drug Regulations

For Mains: Significance of PCIM&H, Government's Intervention

Why in News?

The Government of India has established the **Pharmacopoeia Commission for Indian Medicine & Homoeopathy (PCIM&H)** as a subordinate office under the [Ministry of Ayush](#).

- Government has merged the **Pharmacopoeia Commission of Indian Medicine & Homoeopathy (PCIM&H)** and the two central laboratories namely:
 - **Pharmacopoeia Laboratory for Indian Medicine (PLIM)** and
 - **Homoeopathic Pharmacopoeia Laboratory (HPL)**.

What do we need to know about the Commission?

- **About:**
 - PCIM&H is an **autonomous body** under the aegis of **Ministry of Ayush**, established since 2010.
 - Pharmacopoeia is an **officially recognized book of standards** as per the [Drugs and Cosmetics Act, 1940 and Rules 1945](#) thereunder.
 - As per the **Second Schedule** of the Drugs and Cosmetics Act, it is designated as the **official book of standards for drugs imported and/or manufactured** for sale, stock or exhibition for sale or distribution in India.
 - It specifies the **standards of drugs manufactured and marketed in India** in terms of their identity, purity and strength.
- **Functions:**
 - The Commission is engaged in development of **Pharmacopoeial Standards** for [Ayurvedic, Unani, Siddha & Homeopathic drugs](#).
 - PCIM&H is also acting as **Central Drug Testing cum Appellate Laboratory for Indian systems of Medicine & Homoeopathy**.
- **Benefits of Merger with PLIM & HPL:**
 - **Optimum use** of infrastructural facilities, technical manpower and financial resources of the three organizations for **enhancing their standardised outcomes**.
 - Focused and cohesive **development of standards of AYUSH drugs** and **publication** of pharmacopoeias and formularies.
 - The merger intends to **accord legal status to the merged structure of PCIM&H** and its laboratory by making the necessary amendments and enabling provisions in the **Drugs and Cosmetics Rules, 1945**.
 - Consultations have been done with the Director General Health Services, [Drugs Controller General](#) and the [Ayurveda, Siddha and Unani Drugs Technical Advisory Board \(ASUDTAB\)](#).

What is Ayurveda, Siddha and Unani Drugs Technical Advisory Board?

- ASUDTAB is a **statutory body** under the provisions of **Drugs and Cosmetics Act, 1940**.
- It advises the **central and state governments in regulatory matters of Accelerated Shelf Life Testing (ASLT) drugs**.
 - **ASLT** is an **indirect method of measuring and estimating** the stability of a product by storing the product under controlled conditions that **increase the rate of degradation** occurring in the product under normal storage conditions.

How is the Government Supporting AYUSH Products/Drugs?

- **Drugs and Cosmetics Act 1940:**
 - Enforcement of the legal provisions pertaining to **Quality Control and issuance** of drug license of Ayurveda, Siddha, Unani, is vested with the **State drug Controllers appointed by the concerned State**.
 - It provides the **regulatory guidelines** for issuing licenses to manufacture Ayurvedic, Siddha, Unani medicines.
 - It is **mandatory for the manufacturers** to adhere to the prescribed requirements for **licensing of manufacturing units & medicines** including proof of safety & effectiveness, compliance with the **Good Manufacturing Practices (GMP)**.
- **Certifications of AYUSH products:**
 - For facilitating exports, **Ministry of Ayush** encourages following **certifications of AYUSH products** as per details below:
 - **Certification of Pharmaceutical Products (CoPP)** as per **WHO Guidelines** for herbal products.
 - Quality Certifications Scheme implemented by the **Quality Council of India (QCI)** for grant of **AYUSH Premium mark** to Ayurvedic, Siddha and Unani products on the basis of **third-party evaluation of quality** in accordance with the status of compliance to international standards.
- **AYUSH Oushadhi Guvatta Evam Utpadan Samvardhan Yojana (AOGUSY):**
 - The Ministry of Ayush has implemented the **Central Sector Scheme of AOGUSY**.
 - **Objectives:**
 - To **enhance India's manufacturing capabilities** and **exports** of **traditional medicines** and **health promotion products** under the initiative of **Atmanirbhar Bharat**.
 - To facilitate adequate **infrastructural & technological upgradation** and **institutional activities** in public and private sector for standardization, **quality manufacturing** and **analytical testing** of Ayush drugs & materials.
 - To strengthen regulatory frameworks at **Central and State level** for effective quality control, safety monitoring and surveillance of misleading advertisements of Ayush drugs.
 - To encourage building up **synergies, collaborations and convergent approaches** for promoting standards and quality of Ayush drugs & materials.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. How is the Government of India protecting traditional knowledge of medicine from patenting by pharmaceutical companies? (2019)

Source: [PIB](#)

PDF Reference URL: <https://www.drishtias.com/current-affairs-news-analysis-editorials/news-analysis/06-08-2022/print>

