NEXT IAS

Polity & Governance

(08th – 14th March)

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NEXT IAS

Sub-Mission on Agroforestry (SMAF) Scheme

In News: The Ministry of Agriculture and Farmers Welfare signed a MoU with the **Central Silk Board under the Ministry of Textiles** on a **convergence model** for the implementation of **Agroforestry in the silk sector** under the **Sub-Mission on Agroforestry (SMAF) Scheme.**

- The Central Silk Board (CSB), Ministry of Textiles, Govt. of India will act as a catalyst to **promote Agroforestry in the silk sector.**

Rationale behind the step

- The signing of this MoU aims to incentivize the **farmers to take up sericulture** based **Agroforestry models** thereby contributing to the **Make in India and Make for the World** vision of the Prime Minister.
- It will increase the **income and production of farmers** and will also **remove the difficulties faced by them.**
    - The initiative of formalizing the collaboration in the **sericulture sector** is especially targeted for augmentation of **sericulture host plants** e.g. **Mulberry, Asan, Arjuna, Som, Soalu, Kesseru, BadaKesseru, Phanat, etc**. to be cultivated both as block plantations and border or peripheral plantations on farmlands.

Sub-Mission on Agroforestry (SMAF) Scheme

- The Department of Agriculture, Cooperation and Farmers Welfare (DAC & FW) have been implementing the **Sub-Mission on Agroforestry (SMAF)** since 2016-17 as part of the recommendation of the **National Agroforestry Policy 2014.**
- **India was the first country** to have such a **comprehensive policy** which was launched at the **World Agroforestry Congress held in Delhi in February 2014.**
- At present, the scheme is being implemented in **20 States and 2 UTs.**
- It will be operational under the umbrella of NMSA and is a **centrally sponsored programme**
- Activities carried out under the SMAF include raising **seedlings, planting on boundaries** and **bunds, low-density planting, high-density planting**, etc.

Aim

- It aims to **encourage farmers to plant multi-purpose trees** together with the **agriculture crops** for **climate resilience .**
    - The focus of the programme is to **encourage agroforestry** which has tremendous **potential to mitigate climate change effects** through **moderation of microclimate.**

Significance

- It also provides benefits such as improvement of the soil profile, moisture conservation, conservation of natural resources, and creation of an additional source of livelihood and income opportunities.

Agroforestry

- Agroforestry systems include both **traditional and modern land-use systems** where trees are **managed together with crops and/or animal production systems in agricultural settings.**
- It is a **practical and low-cost** means of **implementing many forms of integrated land** management (which seeks to reduce human impacts on land), and it contributes to a **green economy by promoting long-term, sustainable, and renewable forest management, especially for small-scale producers.**
- **Steps -**
  - Major policy initiatives, including the **National Forest Policy 1988, the National Agriculture Policy 2000, Planning Commission Task Force on Greening India 2001, National Bamboo Mission 2002, National Policy on Farmers, 2007** and **Green India Mission 2010,** emphasize the **role of agroforestry** for efficient nutrient cycling, organic matter addition for sustainable agriculture and for improving vegetation cover.
  - However, agroforestry has not gained the desired importance as a resource development tool due to various factors.

Sericulture

- It is the rearing of **silkworms for the production of raw silk**.
- The major activities of **sericulture comprises food-plant** cultivation to feed the **silkworms which spin silk cocoons** and **reeling the cocoons** for **unwinding the silk** fil**ament for value added benefits** such as processing and weaving.
- Although there are several commercial species of silkworms, **Bombyx mori** is the most widely used.
- **Silk-fiber** is a **protein** produced from **the silk-glands of silkworms.**
- Sericulture is ideally **suited for improving the rural economy** of the country, as it is practiced as a **subsidiary industry to agriculture.**
- **Steps -**
  - The Government of India through the Central **Silk Board** has been implementing a **Central Sector Scheme "Silk Samagra"** an **Integrated Scheme** for Development of **Silk Industry (ISDSI)** during the year (2017-20) .
  - The scheme comprises four (4) major **Components** viz. (i) Research & Development, Training, Transfer of Technology and I.T. Initiatives, (ii) Seed Organizations, (iii) Coordination and Market Development and (iv) Quality Certification Systems (QCS) / Export Brand Promotion and Technology Up-gradation.
  - **Aims & objective -**
    - To scale up production by **improving the quality and productivity** and to empower downtrodden, poor & backward families through various activities of sericulture in the country.

Maitri Setu Bridge

In News: The Prime Minister will inaugurate **'Maitri Setu' between India and Bangladesh** on 9th March 2021.

- He will also inaugurate and lay the foundation stone of **multiple infrastructure** projects in **Tripura.**

About 'Maitri Setu'

- The bridge 'Maitri Setu' has been built over the **Feni river** which flows between the **Indian boundary in Tripura State and Bangladesh**.
- The name '**Maitri Setu' symbolizes** growing **bilateral relations** and **friendly ties between India and Bangladesh**.
- The construction was taken up by the **National Highways and Infrastructure Development Corporation Ltd** at a **project cost of Rs. 133 Crores**.
- The 1.9 Km long bridge joins Sabroom in **India with Ramgarh in Bangladesh**.

Significance

- It will give a boost to **trade and people to people m**ovement between **India and Bangladesh.**
- With this inauguration, Tripura is set to become the '**Gateway of North East**' with **access to Chittagong Port of Bangladesh**, which is just **80 kms from Sabroom.**

Inauguration of other Projects

- **An Integrated Check Post at Sabroom**
    - The project is being taken up by the Land Ports Authority of India at an estimated cost of about Rs. 232 Crores.
    - It will help ease the **movement of goods and passengers** between the two countries, provide new market **opportunities for products of North-East** states and assist the seamless movement of passengers to and from India and Bangladesh.
- **NH 208**
    - The 80 Km NH 208 project has been taken up by the **National Highways & Infrastructure Development Corporation Limited** with a project cost of Rs. 1078 Crores.
    - It will connect the **Unakoti district headquarters at Kailashahar** with the Khowai district headquarters.
    - It will provide an **alternative route to the NH 44.**
- **State Highways and other district roads**
    - **They will be** developed by the State government with a financial **outlay of Rs. 63.75 Crores**. They will provide all-weather connectivity to the people of Tripura.

- **40978 houses constructed under Pradhan Mantri Awas Yojana (Urban)-**
    - They are completed with the financial outlay of Rs. 813 Crores.
- **The Integrated Command and Control Centre built under Agartala Smart City Mission.**
- **Multi Level Car Parking and Commercial Complex** at Old Motor Stand
    - It will be developed at an investment of about Rs 200 crore.

Connectivity Projects between India-Bangladesh

- Both countries have realised that c**onnectivity is the key to their prosperity**. For India, Bangladesh is crucial to **enhance its reach towards its north-eastern states**.
- At the same time, Bangladesh needs to have a **conducive relationship with the largest of its two neighbours (the other one being Myanmar).**
- Therefore, both countries have opened previously closed links and have worked on identifying new ones.
- Bangladesh has also expressed interest in joining the **India-Myanmar-Thailand trilateral highway project.**
- **Train links**: Railways is a **fast and cheap mode of transport,** compared to **inland shipping and roadways respectively**. Therefore, it is important to invest in the **improvement of rail connectivity,** in order to achieve better trade connectivity and synergy between commerce in the two countries.
- Apart from **Chilahati-Haldibari,** other rail links between **India and Bangladesh** are **Petrapole (India) to Benapole (Bangladesh), Gede (India) to Darshana (Bangladesh), Singhabad (India) to Rohanpur (Bangladesh) and Radhikapur (India) to Birol (Bangladesh).**
    - The **Indo-Bangla railway connectivity project through Akhaura (Bangladesh)** – Agartala (Tripura) would be completed by this March.
        - The 13 kilometres-long railway project would **connect Bangladesh with India's northeast and West Bengal** through **Nischintapur** along the **Indo-Bangla border** to serve the purpose of trade and economic relations between the two countries.
- **Bus links:** Roadways are important for **faster connectivity and larger availability** of choices for origins and destinations.
    - The recently started bus services — **Kolkata-Dhaka-Agartala and Dhaka-Shillong-Guwahati — will link West Bengal to three North-Eastern states of India via Bangladesh capital Dhaka.**
- **Chittagong Port**-Bangladesh has made the **Chittagong port available to India** for transporting goods to the north-eastern states of India.
    - This will be a huge factor in the economic progress of the Indian territory of the north-east, by slashing both time and distance required to transport goods.

About Feni River-

- The Feni River, which forms part of the **India-Bangladesh border**, originates in the **South Tripura district.**
- **It** passes through **Sabroom town on the Indian side**, and **meets the Bay of Bengal** after it **flows into Bangladesh.**

North East Region

- The North Eastern Region is ideal for both **passive and adventure** forms of **Ecotourism with wildlife sanctuary/parks, good scenic beauty, waterfalls, forests** etc.
- The region has **many famous and old religious spots**, which have been integrated with **national tourism circuits.**
- In view of the attractive **natural environment and growing trends** of outbound business meets, the **NER also offers ample opportunities for the business** tourism **segment.**
- Heritage tourism has picked up considerably in the Region with a participatory approach.
- The North East will play an important role in India's Act East Policy.
- The region is home to a large number of ethnic communities and diverse tribal groups having unique dialects and traditions.
- Northeast states are increasingly gaining a **significant strategic value**.
- With ASEAN engagement becoming a central **pillar of India's foreign policy direction, these states play an important role** as the **physical bridge between India and Southeast Asia.**

Seven Sisters of Northeast India

- The 'seven sisters' of Northeast India comprise Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura.
- Sikkim is also a part of the Northeast but is not included in the Seven Sisters because while the other seven states are contiguous, Sikkim is sort of a neighbour, divided by the Siliguri Corridor.
- Sikkim is also referred to as the 'Brother' of the Seven Sisters.

What is the Siliguri Corridor?

- **India's North East** is **geographically isolated** from the rest of India and is connected to the mainland by a narrow strip of land called the **Siliguri Corridor also known as Chicken's Neck.**
- It is about 200 km long and 60 km wide. At its narrowest, it is just 17 km wide.
- The corridor extends from the **Darjeeling, Jalpaiguri and Terai areas of West Bengal towards the North East.**
- The region is important for trade, commerce and tourism for West Bengal, Sikkim, **Assam, Nepal, Bhutan and Bangladesh.**
- All land trade between the North East and the rest of the country happens through this corridor.

Janaushadhi

In News: Recently, PM addressed Janaushadhi Diwas celebrations and interacted with beneficiaries of Pradhan Mantri Bhartiya Janaushadhi Pariyojana through video conferencing.

- He dedicated to the nation the **7,500th Janaushadhi Kendra** at North Eastern Indira Gandhi Regional Institute of Health and Medical Sciences (NEIGRIHMS), Shillong.

JanAushadhi Yojana

- It was launched in 2015 to provide **quality-generic medicines** by the **Department of pharmaceuticals** of the Ministry of Chemicals and Fertilizers.
- It aims to provide affordable healthcare to all by making medicine available, accessible and affordable.
- The nodal agency is **Bureau of Pharma Public Sector Undertakings of India (BPPI)**.
    - It is under the Department of Pharmaceuticals.
    - It supports the CPSUs to coordinate the sales, marketing, supply and procurement of generic medicines.
    - These medicines are distributed to the healthcare seekers through **Pradhan Mantri Bhartiya Janaushadhi Kendras**.
- **Drugs sold under the Scheme**
    - Procured generic medicines are sold at 50% to 90% lesser prices as compared to the market prices of branded medicines.
    - Quality is assured by tests at NABL (National Accreditation Board Laboratories) accredited laboratories
    - Drug manufacturers are also compliant with WHO GMP (World Health Organisation's Good Manufacturing Practices) benchmarks.
    - Government grants of up to 2.5 Lakhs are provided for setting up of PMBJKs.

- Even, Railway ministry has given in-principle approval to the opening up of Jan Aushadi Kendras at railway stations and other railway establishments under PMBJP.

- To reinvigorate the scheme, it was renamed as **PM Bhartiya Jan Aushadhi Pariyojana (PMBJP)**.
- **Objectives/ Aims:**
  - To educate the masses about the generic medicines and that high prices are not always synonymous with high quality.
  - To cover all therapeutic groups and create demand for generic medicines through medical practitioners.

Need

- Reduce **Out of Pocket Expenditure:** Under PMBJP, Pradhan Mantri Bhartiya Janaushadhi Kendras (PMBJK) are set up across the country.
  - It can bring many families out of vicious cycle of Poverty.
- **Promotion of Generic Drugs:** The Indian Pharmaceuticals has an upper hand in manufacturing Generic Drugs and hence it will boost AtmaNirbhar Bharat, Make in India.
- **Better availability and affordability:** The presence of 7500 Jan Aushadhi Kendras in remote villages and Railway Stations makes it a wonderful initiative for Eradication of Health Poverty.
- **Awareness about Sanitary Pads:** The JanAushadhi Kendras are also involved in making Sanitary Pads more available in India.

About Jan Aushadi Oxo-Biodegradable Sanitary Napkins

- The sanitary napkins were earlier sold for Rs. 2.50 but now the price is further reduced to Rs. 1 due to this new technology.
- These sanitary pads are also biodegrade.
  - Once discarded, they start decaying after coming in contact with oxygen.
- A very large number of women and girls, especially in Village areas and from unprivileged class suffer due to lack of good quality sanitary pads.

About Jan Aushadi Sugam Application

- The PMBJP launched a mobile application in order to help people locate the Janaushadhi Kendras in the areas around them.
- It will deepen the reach of PMJBY and help needy to get generic medicines at a substantially low cost compared to that of the branded OTC (over-the-counter) ones.

Ayushman Bharat

- Another scheme to reduce Out of pocket expenditure is Ayushman Bharat Yojana.
- It has two components.
  - Increasing Primary Health Care Centres
  - Providing yearly Health Insurance upto Rs 5 lakh to 10 crore families for secondary and Tertiary health care.

102nd (Constitutional) Amendment Act, 2018

- It **amended Article 338** and added **Article 338B** into the Constitution.
    - It provided Constitutional status to the **National Commission for Backward Classes** (NCBC) under the Ministry of Social Justice and Empowerment.
- It **inserted Article 342A** to the **existing Article 342.**
    - It **empowers the President** to **specify socially and educationally backward classes** in various states and union territories.
    - She/He can do this **in consultation with the Governor** of the concerned State.
- It **amended Article 366** and **added clause (26C)** to it.
    - It **modified definition** viz. "**socially and educationally backward classes**" means such backward classes as are so deemed under Article 342A for the purpose.
- **National Commission for Backward Classes**
    - It was initially constituted as a **statutory body** under the **National Commission for Backward Classes Act, 1993**.
        - The 1993 Act was **repealed by the Central Government in 2018**.
    - So far, it has been **reconstituted 7 times up to 2016**.
    - The present Commission is the **8th one** and has been accorded **Constitutional Status** and constituted through the **102nd (Constitutional) Amendment Act, 2018**.
    - It has the **authority to examine complaints** and **welfare measures regarding socially and educationally** backward classes.

Sessions of Parliament

- The summoning of Parliament is **specified in Article 85** of the Constitution and the power rests with the **government**.
- The **decision** is taken by the **Cabinet Committee on Parliamentary Affairs**, which is **formalised by the President**, in whose name MPs are summoned.
- India **does not have a fixed parliamentary calendar** and meets for **three sessions in a year**, by **convention**.
- **Budget Session**
    - It is the **longest** session which starts towards the **end of January**, and concludes by the **end of April or first week of May**.
    - It has a **recess** so that Parliamentary Committees can discuss the budgetary proposals.
    - **Monsoon Session**
        - It is a **three-week** session, which usually **begins in July** and **finishes in August**.
    - **Winter Session**
        - It is a **three week-long** session, held from **November to December**.
        - The **parliamentary year ends with** this session.

Unlawful Activities (Prevention) Act

In News: A local court in Gujarat recently acquitted 122 persons arrested under the Unlawful Activities (Prevention) Act for participating in a meeting organised in December 2001 as members of the banned outfit Students' **Islamic Movement of India (SIMI)**

About Unlawful Activities (Prevention) Act (UAPA)

- It is an **anti-terror legislation** that seeks to **designate an individual as a "terrorist"**.
- It is aimed at "**more effective prevention of certain unlawful activities** of individuals and associations for dealing with **terrorist activities".**
- It was first promulgated in 1967 to **target secessionist organisations** and is considered to be the predecessor of laws such as the (now repealed) Terrorist and Disruptive Activities (Prevention) Act (TADA) and Prevention of Terrorism Act (POTA).
- Any Indian or foreign national charged under UAPA is liable for punishment under this Act, irrespective of the location of crime/offence committed

Who is a "terrorist" in the UAPA?

- The words "terror" or "terrorist" are not defined, but the UAPA Bill in **Section 15** defines a **"terrorist act"** as any act committed with intent to threaten or likely to threaten the unity, integrity, security, economic security, or sovereignty of India or with intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country.
- The original Act dealt with "unlawful" acts related to secession; anti-terror provisions were introduced in 2004.

As per amendments of 2019

- The Act empowers the Director General of **National Investigation Agency (NIA)** to grant approval of seizure or attachment of property when the case is investigated by the said agency.
- The Act empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases of terrorism in addition to those conducted by the **DSP or ACP or above rank officer in the state**.
- It also has the provision of designating an individual as a terrorist. Prior to this amendment, only organizations could be designated as terrorist organizations.

SC to Re-examine Reservation Ceiling

In News: Recently, the **Supreme Court** (SC) has decided to examine whether its **Indira Sawhney case of 1992**, which **fixed the ceiling limit of 50% for reservation** in government jobs and educational admissions, **requires a re-look** by a larger Bench.

- This comes in the backdrop of the **crossing of the 50% reservation limit** by states like **Tamil Nadu and Maharashtra**, which allow reservation **over 60%**.

Background

- **Reservation in Tamil Nadu**
  - The **Tamil Backward Classes, Scheduled Castes and Scheduled Tribes** (Reservation of Seats in Educational Institutions and of appointments or posts in the Services under the State) **Act of 1993** provides **69% reservation** in admissions and in public services.
  - **Challenge:** The validity of the Act has been challenged by a Tamil Nadu student for various **concerns**.
    - The 69% reservation is **arbitrary, unreasonable and excessive** and affects general category students and candidates to the public services.
    - It has been highlighted that the 1993 Act is **contrary to** the principle laid down by the judgement in the case of **Indra Sawhney & Others vs Union of India, 1992** and also **violates the 102nd Constitutional Amendment Act of 2018**.
  - **Tamil Nadu's Stand**
    - The state government has **justified the increased** reservation percentage as it is based on "**quantifiable data**".
    - It also highlighted that the **state's case is different** from other states and the **Ninth Schedule protects the 1993 Act from judicial review**.
- **Reservation in Maharashtra**
  - The **Maharashtra State Reservation** (of Seats for Admission in Educational Institutions in the State and for Appointments to the Posts in the Public Services under the State) **for Socially and Educationally Backward** (SEBC) **Act of 2018** provides **12% to 13% quota benefits for the Maratha** community.
    - In **June 2019**, although, the Bombay High Court reduced it from the **16% recommended by the Gaikwad Commission** to **12% in education** and **13% in employment**.
    - It, thus, takes the reservation percentage in the State **across the 50% mark**.
  - **Challenge:** A group of social workers and **representatives of the Muslim community challenged** the SEBC Act for multiple **concerns**.
    - Despite there being other identified socially and educationally backward communities, **only Marathas were chosen** which shows **partiality**.
    - The action amounts to "**one person or one community**" legislation and is therefore **struck by the equality clause** guaranteed under **Article 14** of the Constitution of India.
    - It is **violative of Article 342A** of the Constitution as **only the President is empowered to notify**, in consultation with the Governor, for each State and UT, the list of **socially and educationally backward classes**.

SC's Stand and Due Course of Action

- It has **kept the question of the legality of Tamil Nadu's Act aside** and is **waiting** for a Constitution Bench to decide the **validity of the Maratha quota law first**.
- It has **issued notice to the States**, providing them with an **opportunity to clarify their position on the 50%** reservation mark.
- It will **examine** if the **Gaikwad Commission had made up a case of "extraordinary circumstances**" of deprivation suffered by the Maratha community.
- It also wants to look into the issue of whether **Article 342A strips states of their discretionary power** to include their backward communities in the **State List**.
- It will also check if the **National Commission for Backward Classes** (NCBC) **interferes with the authority of states** to provide benefit to the social and educationally backward communities in their own jurisdictions.
    - The **102nd (Constitutional) Amendment Act, 2018** introduced **Articles 338B** and **Article 342A** in the Constitution.
        - Article 338B deals with the **NCBC**.
        - Article 342A **empowers the President** to specify the socially and educationally backward communities in a State.

Indra Sawhney Case, 1992

- A nine-judge Bench of the SC **upheld the 27 per cent quota for Backward Classes** and **struck down** the government notification reserving **10 per cent government jobs for Economically Backward Classes** among the higher castes.
- It also **upheld** the principle that the **combined reservation beneficiaries should not exceed 50%** of India's population.
- However, it also held that **only in certain exceptional and extraordinary situations** for **bringing far-flung and remote areas' populations into mainstream** said **50% rule can be relaxed**.
- The concept of '**Creamy Layer**' also **became popular** through this judgment and also the provision that **reservation** for backward classes **should be confined to initial appointments only** and **not extend to promotions**.

Godhan Nyay Yojana

In News: Recently, the Standing Committee on Agriculture asked the Centre to launch a scheme for procurement of cattle dung from farmers while citing the **Godhan Nyay Yojana**.

About

- The Committee considered that **procuring cattle dung** directly from the farmers will **augment their income** and **provide employment opportunities** .

- The Committee, therefore, recommended the Department to initiate a scheme for procurement of cattle dung from farmers in coordination with the Department **of Animal Husbandry and Dairying.**

Godhan Nyay Yojana

- Godhan Nyay Yojana' is the scheme launched on 21st July 2020, on the occasion of **Hareli, the first festival of the state, by the Chhattisgarh**
- Under this ,the state government would **procure cow dung at ₹ 2 per k.g**. from the farmers and **cattle rearers of the state** which will lead to income as well as **employment generation initially in the rural pocket later across the state**.
- After procuring the cow dung, the government would get the procured cow dung turned into vermicompost by **Women Self-Help Group (WSHG) a**nd later the **organic manure would be** sold **through cooperative societies** to meet the **fertilizer requirement** of the farmers as well as that of the Agriculture, Forest, **Horticulture and Urban Administration Department** for various plantation campaigns **.**
- The government will also make arrangements for the marketing of additional organic fertilizer.

Significance

- It will also prevent the **practice of open grazing** of cattle and accidents on the road due to stray animals.
- It will also address the problem of **stray cattle and promote organic** farming in the country as the country has a vast cattle population.
- Animal husbandry **would be hugely boosted** and **organic fertilizer** would be **encouraged** as it would be easily **available at an affordable price** at the local level, r**esulting in huge economic profit for the forming community**.

About the Hareli Festival

- It is an agrarian festival of Chhattisgarh, observed in Shravan month.
- Farmers celebrate this festival by worshipping farm equipment and other livestock.
- They place branches and leaves of the Bhelwa tree in the fields and pray for a good harvest in the coming season and also hang small Neem branches at the main entrance of their homes to prevent seasonal diseases.
- Walking on bamboo known as Gedi is held during the period and children also participate in the gedi race.

Kerala HC Restrains Centre on IT Rules 2021

In News

- The Kerala High Court restrained the Centre from taking coercive action against Live Law Media Private Ltd., which owns a legal news portal, for any non-compliance with Part III of the new IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021

- **Definition of Digital Media:** It will cover digitised content that can be transmitted over the internet or computer networks.
    - It also includes intermediaries such as Twitter and Facebook, and publishers of news and current affairs content.
    - It also includes so-called curators of such content.
    - Publishers of news and current affairs content will cover online papers, news portals, news agencies, and news aggregators.
- **Not Covered:** The act **does not include the e-paper of any newspaper** because print media comes under the purview of the Press Council of India, anyway, and has to follow established guidelines.
    - It also does **not cover** news operations that **do not qualify as a "systematic business activity"** — effectively **excluding blogs and non-profit publishers**.
- **Online News Media's treatment at par with Traditional Media:** The Digital Media will also be brought under the ambit of **section 69(A)** of the **Information Technology Act.**
    - **Section 69(A)** gives **takedown powers** to the government.
    - It also deprived the intermediaries of their **"safe-harbour protections" under Section 79** of the IT Act.
    - **Newspapers and TV** news channels are governed under the **Press Council of India Act, 1978 and Cable Television Networks Regulation Act, 1995** respectively.
    - According to the proposed changes, these acts will also apply to online news and current affairs portals under the Code of Ethics.
- **Three Tier Check Structure:** Part III of the rules imposed three-tier complaints and adjudication structure on publishers.
    - **Self-regulation**.
    - **Industry regulatory body** headed by a former judge of the Supreme Court and High Court with additional members from an I&B ministry approved panel.
    - **Oversight mechanism** that includes an **inter ministerial committee** with the authority to block access to content.
        - Inter ministerial Committee can also take suo motto cognisance of an issue, and any grievance flagged by the ministry.

- **Content Moderation Officers:** Social media companies may need to appoint officers who will be responsible for complying with content moderation orders.
- **Originator of Message:** New, stricter guidelines make it mandatory for platforms such as WhatsApp to aid in identifying the "originator" of "unlawful" messages.
- **Grievance redressal portal:** The rules mandate the creation of a grievance redressal portal as the central repository for receiving and processing all grievances.
    - They ask intermediaries to act on certain kinds of violations within 24 hours, and on all concerns of a complainant within 15 days.
- **Information Disclosure to Competent Authorities:** The rules also say that competent authorities, through an order, may demand pertinent information for the purposes of prevention, detection, investigation, prosecution or punishment of crimes.
    - However, It excludes the intermediary from having to disclose the content of the personal messages.

Need of such Stringent Provisions

- **Absence of Regulatory Body:** For OTT and social media, there was no regulator like
    - Newspapers and TV news channels are governed under the Press Council of India Act, 1978 and Cable Television Networks Regulation Act, 1995 respectively.
- **Poor, Offensive and Abusive Content:** The shows like Tandav, AIB roast, etc were highly criticised for their biased and adult content.
    - With deeper reach of smartphones, children and youth are being misled by such content.
    - Presence of Clauses provisioning Reasonable Restrictions over Fundamental Rights.
- **Threat to Traditional Media:** Due to less regulation and improving technology, these new social media were threatening and exploiting traditional media.
    - Facebook banned News pages in Australia.
- **Piracy and illegal content sharing:** The role of social media was criticised during Delhi Riots, Farmer Protests, etc.
    - Further a lot of **fake news** were doing errands on such platforms due to lack of accountability.
- **Double Standards as per Country and Government:** In the past, social media has shown differential treatment for Europe and Asian Countries.
    - Further, event based bias was also seen in a few cases.
- **Increasing Digital Crimes:** Radicalisation, Terrorist recruitment, Digital hacking, Child pornography and other henious crimes, etc are increasing.

Criticism

- **Unconstitutional:** It violated **Article 19(1)(a)** (freedom of speech and expression).
- **Over Regulation:** This administrative regulation on digital news media would make it virtually impossible for small or medium-sized publishers, such as the petitioner, to function
    - For the IT Act to be used as a content control mechanism, especially through exercise of powers aimed at intermediaries which do not originally publish content, seems to be an overreach of executive power.
- **Curb Freedom of Artistic Expressions:** The present norms put a curb on the Freedom to Artistic Expressions under Article 19.
- **Selective targeting:** It has also been alleged that the rules will be more misused than for real regulation.
    - There are instances when the government tried to curb a certain Anti-Government Agendas while ignoring populist fake news.
- **Rising Intolerance and Populist measure:** The uproar over series like Tandav and AIB Roast are just a reflection of lack of tolerance.

- Most arguments like abusive language, against the cultural ethos are either vague or irrelevant as they often depict day to day life.

Way Ahead

- **Independent Authority to moderate the content:** The Independent Authority may be appointed in consultation with the Leader of Opposition and Judiciary to ensure a neutral person for regulating the content.
- **Judicial Commission to decide the definitions:** The definitions should be precisely defined to avoid any controversy in future.

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