



## **DAILY CURRENT AFFAIRS 30-07-2024**

### **GS-1**

1. Heritage in danger list

### **GS-2**

2. Right To Be Forgotten
3. Draft Broadcasting Bill
4. Defending Disability Reservation

### **GS-3**

5. Zebra mussel

## Heritage in danger list

Syllabus: GS-1; Art & Culture

### Context

- **Palestine site gets UNESCO tag, put on heritage in danger list**



### About

- *The World Heritage in Danger List is a crucial tool maintained by UNESCO to highlight and protect cultural and natural sites facing significant threats.*
- *These sites, recognized for their outstanding universal value, are at risk due to various factors such as:*
  - **Natural disasters:** *Earthquakes, floods, and climate change can cause irreparable damage.*
  - **Armed conflict:** *War and terrorism often result in the destruction of historical and cultural landmarks.*
  - **Human activities:** *Uncontrolled urbanization, pollution, deforestation, and unsustainable tourism can erode the integrity of these sites.*
  - **Neglect:** *Lack of proper maintenance and conservation efforts can accelerate deterioration.*

## Significance

- *By placing a site on the danger list, UNESCO aims to **increase international awareness, mobilize resources, and encourage corrective measures.***
- *It's a call to action for governments, communities, and the global community to work together to preserve our shared heritage for future generations.*

## **Right To Be Forgotten**

**Syllabus: GS-2: Fundamental Rights and Judiciary interpretation.**

### Context:

- *A three-judge Bench headed by **Chief Justice of India (CJI) D Y Chandrachud** will hear a challenge against a Madras High Court ruling that on February 27 directed legal search portal Indian Kanoon to take down a judgment in a 2014 rape and cheating case.*

### What is the Right to be Forgotten?

- **Definition:** *The right to remove one's digital footprint where it violates the right to privacy.*
- **European Context:** *Affirmed by the Court of Justice of the European Union (CJEU) in 2014.*
- **Google Spain Case:** *Established that search engines must remove data that is inadequate, irrelevant, or no longer relevant.*
- **GDPR:** *Article 17 of the EU's General Data Protection Regulation (GDPR) describes the right to erasure.*

### Interpretation in India

- **Data Protection Act, 2023:** *Incorporates the RTBF, allowing individuals to seek removal of personal data under certain conditions.*
- **Justice K S Puttaswamy Case (2017):** *The Supreme Court recognized the right to privacy as a fundamental right under Article 21 of the Constitution.*
- **Justice S K Kaul's Opinion:** *Mentioned the right to be forgotten as part of the right to privacy but with certain limitations.*

## Court Rulings on the Issue

- **Rajagopal vs. State of Tamil Nadu (1994):** Discussed the "right to be let alone" but distinguished it from the publication of public records.
- **DharamrajBhanushankar Dave vs State Of Gujarat (2017):** Gujarat HC refused to remove details of an acquittal in a public domain.
- **Jorawar Singh Mundy Case (2021):** Delhi HC extended the right to be forgotten to a criminal case to protect social life and career prospects.
- **Orissa HC on Revenge Porn (2020):** Highlighted the need for a widespread debate on the right to be forgotten and its practical challenges.

## Conditions for RTBF

### 1. Relevance and Accuracy:

- Data must be outdated or inaccurate.
- Individuals can request removal if the data is no longer relevant to the current context.

### 2. Harm or Distress:

- Data should not cause undue harm or distress to the individual.
- This includes sensitive data that could affect an individual's reputation or dignity.

### 3. Legal and Ethical Considerations:

- Requests are evaluated against public interest, freedom of expression, and legal obligations.
- Certain data, such as information related to criminal activities or public figures, may not be subject to RTBF.

## Implementation and Challenges

### 1. Practical Challenges:

- **Search Engines and Social Media Platforms:**
  - Difficulty in balancing RTBF with freedom of expression and public right to information.
- **Global Jurisdiction:**

- *Complications in applying RTBF across different jurisdictions and international platforms.*

## 2. Legal and Ethical Issues:

- *Ensuring that RTBF does not lead to censorship or suppression of information.*
- *Balancing individual privacy rights with the public interest in transparency.*

## Conclusion

- **Ongoing Debate:** *The right to be forgotten in India is still evolving, with varied interpretations by different courts.*
- **Future Directions:** *The Supreme Court's upcoming decision will be crucial in defining the scope and application of this right in India.*

## Practice Question

*Q. Evaluate the implications of the Right to be Forgotten in India on data privacy and freedom of expression, considering both legal frameworks and practical challenges faced by digital platforms. (15 marks, 250 words)*

# **Draft Broadcasting Bill**

## Syllabus: GS-2: Government policies and Interventions

### Context:

- *Internet Freedom Foundation (IFF) criticized “secret” changes to the draft Broadcasting Services (Regulation) Bill.*
- *The Bill expands regulatory requirements on online news and entertainment media.*

### Key Concerns

- **Lack of Representation:**
  - *Ministry of Information and Broadcasting met **selective industry representatives.***
  - *No representation from **civil society, journalists,** or other key stakeholders.*

➤ **Censorship Implications:**

- *Potential for increased censorship on online platforms.*

**Document Confidentiality**

- *The Hindu received a version of the Bill not circulated publicly.*
- *The document contains identifying markers **exposing recipients' identities.***

**Public Version of the Bill**

- *Aims to replace the Cable Television Networks (Regulation) Act, 1995.*
- **Requirements for Streaming Services:**
  - *Must constitute “**content evaluation committees**” to pre-screen content.*
  - *Establishment of a **Broadcast Advisory Council** with government membership to hear complaints against broadcasters.*
  - *Regulations can extend to **streaming platforms and online influencers** via notification by the Ministry.*

**Potential Impact**

- **Monetary Penalties and Imprisonment:**
  - ***Non-compliance with the Code** prescribed by the Union government can lead to penalties or imprisonment.*
- **Concerns from Content Creators:**
  - *Online content creator S. Meghnad highlighted the risk of the new law **potentially shutting down YouTube journalists.***

**Government's Perspective**

- **Negative Influencers:**
  - *The government is concerned about “**negative influencers**” **spreading false narratives.***
  - *A 2021 Group of Ministers report emphasized the **need to track these influencers** for timely responses.*

**About Draft Broadcasting Services (Regulation) Bill, 2023**

**Types of Broadcasters and Regulations**

- **Television Broadcasting Networks:**

- *Must register with the central government.*
- *Ensures all broadcasters are formally recognized and regulated.*
- **OTT Platforms:**
  - *Required to provide intimation after reaching a certain threshold of subscribers.*
  - *Establishes a regulatory framework as OTT platforms gain significant user bases.*

### Regulation of News and Current Affairs Programmes

- **Compliance Requirements:**
  - *Programmes must adhere to a prescribed **Programme Code and Advertisement Code.***
  - *Excludes print news, focusing regulation on broadcast and digital news media.*

### Self-Regulatory Structure

- **Components of Self-Regulation:**
  - **Self-Regulation:** *Broadcasters must internally ensure compliance with the Programme and Advertisement Codes.*
  - **Self-Regulatory Organisations:** *Groups formed by broadcasters to oversee compliance collectively.*
  - **Broadcast Advisory Council:** *A government-established body to hear complaints and ensure regulatory adherence.*

### Content Evaluation Committee (CEC)

- **Internal Committees:**
  - *Every broadcaster must establish a CEC.*
  - *The CEC is responsible for pre-screening and certifying all broadcast content.*

### Key Issues and Analysis

#### Regulation of Online Content

- **OTT Platform Content:**
  - *The draft Bill specifically regulates content on OTT platforms.*
- **Internet Content:**



- *Content accessed through other internet means is regulated differently.*
- *Potential for regulatory inconsistencies and loopholes.*

### **Programme Code Guidance**

#### ➤ **Lack of Clarity:**

- *The draft Bill provides no guidance on how to formulate the Programme Code.*
- *Broadcasters may resort to self-censorship to avoid penalties.*

### **Government Powers**

#### ➤ **Authority Over Content:**

- *The central government can decide if content violates the Programme Code.*
- *Applies to news or content critical of the government, potentially leading to biased decisions.*

#### ➤ **No Appeal Mechanism:**

- *No provision for appealing against government orders, raising concerns about fairness and accountability.*

### **Differential Framework for News**

#### ➤ **Different Rules for Same Content:**

- *Broadcast news is regulated differently from print news.*
- *Questions arise about the appropriateness of having different frameworks for the same type of content based on its medium of dissemination.*

### **Criminal Punishments**

#### ➤ **Recriminalisation:**

- *Certain offences that were recently decriminalised are being reintroduced as criminal offences.*
- *This may deter broadcasters due to the fear of legal consequences.*

### **Practice Question**



*Q. Analyze the implications of the draft Broadcasting Services (Regulation) Bill on the freedom of press and expression in digital media, considering the potential for increased government control and self-censorship. (15 marks, 250 words)*

## **Defending Disability Reservation**

**Syllabus: GS-2: Welfare measures and policies – Reservation.**

### **Context:**

- *Puja Khedkar allegedly faked her disability and caste to obtain benefits.*
- *Sparked debate on reservations for persons with disabilities (PwDs).*
- *Former NITI Aayog CEO tweeted about reviewing reservations for PwDs, particularly for mental disabilities.*

### **Deep-rooted Ableism**

- **Challenges Faced by PwDs**
  - *Infrastructural barriers.*
  - *Education system and exam formats favor able-bodied individuals.*
- **Purpose of Reservation Policies**
  - *Aim to provide equitable opportunities to PwDs.*
  - *Exploitation by few should not undermine the policy's broader impact.*
- **Bias and Misconceptions**
  - *Unconscious bias about PwDs' physical fitness for civil services roles.*
  - *PwDs face significant challenges in education and employment sectors.*

### **Employment Statistics and Structural Issues**

- **Employment Statistics**
  - *76th National Sample Survey (2018): 23.8% of PwDs employed vs. 50.2% Labour Force Participation Rate.*
- **Barriers in Employment**

- *Lack of accessible education.*
- *Stigma and biases in hiring.*
- *Lack of reasonable workplace accommodation.*

➤ **Highlighting Structural Issues**

- *Cases like Kartik Kansal and Ira Singhal illustrate systemic barriers despite clearing UPSC exams.*

## Potential Misuse and Supreme Court Ruling

➤ **Supreme Court on Scribes**

- *Case: Vikash Kumar v. UPSC (2021).*
- *Concerns about misuse of scribes by PwDs.*
- *Court's stance: Isolated misuse should lead to punitive actions, not sweeping policy changes.*

## Flaws in Disability Certification System

➤ **Current Certification Issues**

- *Outdated practice of quantifying disabilities by percentage.*
- *UN Convention suggests assessment based on functional limitations.*

➤ **UPSC's Separate Assessment**

- *UPSC requires an independent disability assessment.*
- *Possible contradictory results with existing government certification.*

➤ **Lack of Specialists**

- *Inaccessibility and time-consuming certification process.*
- *Unrealistic assessment guidelines at district hospitals.*
- *Subjective assessment of psychosocial disabilities using outdated IDEAS scale.*
- *Rejection of individuals with less apparent disabilities.*

## Conclusion

➤ **Focus on Systemic Issues**

- *Address flaws in certification and assessment systems.*
- *Punish fraudulent activities stringently.*
- *Reservation system remains crucial for supporting marginalized groups like PwDs.*

## **Reservation for PwDs in Union Government**

### **Legal Framework**

➤ **The Rights of Persons with Disabilities Act, 2016**

- *Mandates reservation in government jobs and educational institutions.*
- *Specifies 4% reservation for PwDs in government employment.*

### **Categories of Disabilities Covered**

➤ **Disabilities Included**

- *Blindness and low vision*
- *Deaf and hard of hearing*
- *Locomotor disability, including cerebral palsy, leprosy-cured, dwarfism, acid attack victims, and muscular dystrophy*
- *Autism, intellectual disability, specific learning disability, and mental illness*
- *Multiple disabilities from amongst persons under these clauses*

### **Implementation Mechanism**

➤ **Reservation Quota**

- *4% of total vacancies in government establishments to be reserved.*

➤ **Identification of Jobs**

- *Government departments to identify posts suitable for various disabilities.*

➤ **Special Recruitment Drives**

- *Periodic drives to fill backlog vacancies reserved for PwDs.*

## **Zebra mussel**

## Syllabus: GS-3; Environment and Ecology

### Context

- **Invasive Zebra Mussel larvae** *found in the Colorado River*



### About

- The zebra mussel is a **small, freshwater mussel** that has become a major problem worldwide due to its invasive nature.
- Originally from the Black and Caspian Seas, it has spread to numerous other water bodies through human activities.

### Appearance

- Small, typically about the size of a fingernail
- Distinctive striped pattern on its shell,
- though not always present
- D-shaped shell

### Impact

- Zebra mussels are **filter feeders**, meaning they strain food particles from the water.
- While this might seem beneficial, their rapid reproduction and ability to attach to hard surfaces cause significant problems:

- **Clogging pipes and infrastructure:** *They can clog water intake pipes for power plants, water treatment facilities, and industrial plants.*
- **Damaging boats and docks:** *They attach to underwater structures, causing damage.*
- **Altering ecosystems:** *By filtering large amounts of water, they can reduce food availability for other aquatic organisms, impacting the entire food chain.*

### Spread

- *Zebra mussels are primarily spread through the transportation of contaminated water, such as in the ballast water of ships.*
- *Recreational boaters can also inadvertently transport them by moving boats between water bodies.*

### Prevention and Control

- *Cleaning, draining, and drying boats before moving them between water bodies.*
- *Decontaminating equipment used in infested waters.*
- *Implementing ballast water management for ships.*
- *Developing biological control methods to reduce their populations.*
- *While there is no easy solution to the zebra mussel problem, these efforts are essential to mitigate their negative impacts.*