

Why has the government withdrawn the Personal Data Protection Bill, 2019 after JPC scrutiny?

- The story so far: On Wednesday, August 3, the government withdrew the Personal Data Protection Bill that it had tabled in the Lok Sabha on December 11, 2019.

What are the origins of the Bill?

- In the seminal Justice K.S. Puttaswamy (Retd) vs Union of India case, the Supreme Court of India ordered in 2017 that the right to privacy is an intrinsic part of the right to life and personal freedom guaranteed by the Indian constitution.
- In the light of this judgment, and the concerns around how large tech platforms were handling the personal data of its Indian users, the Centre in 2017 set up an expert committee chaired by retired Supreme Court Justice B.N. Srikrishna to formulate a regulatory framework for data protection.
- The Srikrishna Committee submitted its report and a draft for the Data Protection Bill to the Ministry of Electronics and Information Technology on July 27, 2018.

- The Bill that was tabled by the Ministry in Parliament over a year later was, however, criticised by Justice Srikrishna for giving much more control to the Central government over the data than envisaged in the committee's draft.
- The JPC that then deliberated on the Bill submitted its report in November, 2021, clearing clause 35, the provision that enables government agencies to circumvent provisions of the law citing "public order", "sovereignty", "friendly relations with foreign states" and "security of the state".
- The opposition members of the JPC had submitted strong dissent notes along with the report.

Why has the Bill been withdrawn now?

- Despite the government retaining its access to data, it has withdrawn the Bill now citing the significant number of amendments, recommendations, and corrections suggested by the JPC.
- Alongside this, the government has also said that it received several concerns from the tech industry specifically from Indian start-ups regarding the stipulations on data localisation in the Bill.

What does the Bill say on data localisation?

- Personal data was defined in the Bill as “any characteristic, trait, attribute or any other feature information” that can be used to identify a person.
- The Bill also identified a sub-category of Sensitive Personal Data, such as details on a person’s finance, health, sexual orientation and practices, caste, political and religious beliefs, and biometric and genetic data.
- It also created a Critical Personal Data category, which was “personal data as may be notified by the Central government” in the future.
- The Bill stated that while Sensitive Personal Data can be transferred abroad for processing, a copy of it must be kept in India.
- Critical Personal Data can be stored and processed only in India. It also stipulates the conditions under which sensitive data can be sent abroad, such as government authorised contracts.
- Several countries have such localisation provisions, considering the strategic and commercial implications of data, the “new oil”

What were the concerns of the tech industry?

- Indian start-ups have raised the issue that the infrastructure needed to comply with the localisation stipulations will be a huge drain on their resources.
- Start-ups also often depend on international companies for services such as customer management, analytics and marketing, which will require them to send data on their customers abroad.
- Data localization requirements would not only reduce their choices on such services but also burden them with compliance processes.
- The compliance requirements have implications for the larger U.S.-based tech companies as well, with reports indicating that umbrella organisations of U.S. businesses were lobbying against the Bill.

THE HINDU

Why did SSLV Failed?

The story so far:

- On August 7, ISRO got ready for the first developmental flight of the SSLV-D1/EOS-2 mission.
- The launch took place from the Satish Dhawan Space Centre at Sriharikota.

- The Small Satellite Launch Vehicle (SSLV) D1/EOS-2 mission, was carrying two satellites the Earth Observation Satellite-2 (EOS-2) which weighed about 135 kg and AzadiSAT which weighed about eight kg.
- The mission aimed to place the EOS-2 in a circular low-Earth orbit at a height of about 350 km above the Equator and inclined at an angle of 37 degrees.
- The initial part of the story was successful with the launch vehicle operating smoothly.
- However, the mission failed to place the satellites in their required orbits, and the satellites, as they were already detached from the launch vehicle, were lost.

What was the purpose of the SSLV-D1/EOS-2 mission?

- The purpose of this mission was to place the two satellites in circular low-Earth orbits at a height of about 350 km above the Equator.
- The larger one, the EOS-2 which was designed and developed by ISRO, offered advanced optical remote sensing operations.
- It would have operated in the infrared region and could have served many purposes, from imaging

for climate studies to simply keeping an eye on Earth.

- AzadiSAT, on the other hand, was a collective of 75 tiny payloads weighing around 50 grams each, which were integrated by students.
- It carried tiny experiments which would have measured the ionising radiation in its orbit and also a transponder which worked in the ham radio frequency to enable amateur operators to access it.

Which part of the mission succeeded and where did it fail?

- The SSLV was composed of three stages powered by solid fuels and these three performed their function as planned.
- However, when it came to the stage when the satellites had to be set in orbit, there was a glitch which resulted in the satellites being lost forever.
- With a degree of openness that is unprecedented in ISRO, it was announced that there was a malfunctioning of a sensor which resulted in placing the satellites in an elliptical orbit, rather than a circular orbit.

Why were the satellites lost?

- If the closest distance to the Earth is only 76 km, as it happened this time,

there is an atmospheric drag experienced by the object at that height.

- Thereafter, unless adequate thrust is applied to overcome the drag, it will lose height and fall towards the Earth because of gravity and may eventually burn up due to friction
- In the present case, the announcement was that “failure of a logic to identify a sensor failure and go for a salvage action caused the deviation.

Why do we need to develop an SSLV when we have successfully used PSLV and GSLV?

- The PSLV (Polar Satellite Launch Vehicle) and GSLV (Geosynchronous Satellite Launch Vehicle) are quite powerful and can carry huge loads. To place an Earth Orbiting Satellite in a low Earth orbit, one does not need such power horses.
- The SSLV can easily carry small-to-medium loads from 10 kg to 500 kg. It is less expensive.
- The three stages being powered by solid fuel is another advantage. Solid fuel is easier to handle, whereas handling the liquid propellants used in the PSLV and GSLV is more complex.

THE HINDU

Parliamentary Panel On guardianship and adoption of minors

- The story so far: A Parliamentary panel has recommended conferring equal rights on mothers as guardians under the Hindu Minority and Guardianship Act (HMGA), 1956 instead of treating them as subordinates to their husband, and has called for joint custody of children during marital disputes.
- It has also proposed allowing the LGBTQI community to adopt children.
- What are the recommendations of the Parliamentary panel on guardianship and child custody?
- The department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice tabled its report on August 8, 2022, in both Houses of Parliament on the ‘Review of Guardianship and Adoption Laws’.
- In its report the committee has said that there is an “urgent need to amend the HMGA (Hindu Minority and Guardianship Act, 1956) and accord equal treatment to both mother and father as natural guardians as the law violated the right to equality and right against

discrimination envisaged under Articles 14 and 15 of the Constitution.”

- In cases of marital dispute, the panel says there is a need to relook at child custody which is typically restricted to just one parent where mothers tend to get preference.
- It says courts should be empowered to grant joint custody to both parents when such a decision is conducive for the welfare of the child, or award sole custody to one parent with visitation rights to the other.
- On adoption, the Committee has said that there is a need for a new legislation that harmonises the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Hindu Adoptions and Maintenance Act (HAMA), 1956.
- The Supreme Court’s landmark judgment in Githa Hariharan vs Reserve Bank of India in 1999 challenged the HMGA for violating the guarantee of equality of sexes under Article 14 of the Constitution of India and 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”.
- But the judgment failed to recognise both parents as equal guardians,

subordinating a mother’s role to that of the father.

- Though the judgment sets a precedent for courts, it has not led to an amendment to the HMGA.
- The panel's proposals on guardianship have been made by the Law Commission of India in its 257th report on "Reforms in Guardianship and Custody Laws in India" in May 2015 as well as its 133rd report in August, 1989 on "Removal of discrimination against women in matters relating to guardianship and custody of minor children and elaboration of the welfare principle.

THE HINDU

Teesta agreement

- Teesta is a 414km long river flowing through the Indian states of West Bengal, Sikkim before going to the Bay of Bengal through Bangladesh.
- It is the fourth largest transboundary river shared between India and Bangladesh after Ganges, Brahmaputra, and Meghna river systems.
- Total catchment area: 1.75 million Sq. km

For Bangladesh:

- According to the report of Asian Foundation in 2013, its flood plain covers about 14% of the total cropped area of Bangladesh and provides direct livelihood opportunities to approximately 73% of its population.

For West Bengal

- Teesta is the lifeline of North Bengal and almost half a dozen of districts of West Bengal are dependent on the waters of Teesta.
- Article 253 of Indian Constitution gives power to the Union Government to enter any transboundary river water related treaty with a riparian state.
- The centre cannot do it arbitrarily without taking into consideration the social, political and eco-impact of such a treaty in the catchment area.
- Many of the glaciers on the Teesta river basin have retreated, says a strategic foresight group, a Mumbai think tank.
- Estimates suggested that Teesta River has a mean average flow of approximately 60 billion cubic meters, of which significant amount flows during June and September and October to April is considered to be a lean season.

- Any treaty will dry out northern region of West Bengal and will hurt farmers.

THE HINDU
