UPSC 2017: Comprehensive News Analysis â€" Sept 11

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Category:Â POLITY

1. West Pakistan refugees in J&K move SC challenging Article 35A

In news:

- Refugees of West Pakistan, who had migrated to India during the 1947 partition, have moved the Supreme Court challenging **Article 35A** of the Constitution.
- **Article 35A:**
- Provision relates to special rights and privileges of permanent residents of Jammu and Kashmir.
- Added to the Constitution by a Presidenial Order in 1954
- It also empowers the stateâ€™s legislature to frame any law without attracting a challenge on grounds of violating the Right to Equality of people from other states or any other right under the Indian Constitution.
- **Petition:**
- There were around 3 lakh refugees from West Pakistan but those settled in Jammu and Kashmir have been denied the rights gauranteed under Article 35A which are given to the original residents of the state.
- The plea claimed that the refugees and their children are not allowed to hold any position higher than sweeper and the children are not entitled to gain education in government universities or avail any scholarship to gain education.

Basic Information:

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Article 35A: â€œSaving of laws with respect to permanent residents and their rights. â€" Notwithstanding anything contained in this Constitution, no existing law in force in the State of Jammu and Kashmir, and no law hereafter enacted by the Legislature of the State:

(a) defining the classes of persons who are, or shall be, permanent residents of the State of Jammu and Kashmir; or

(b) conferring on such permanent residents any special rights and privileges or imposing upon other persons any restrictions as respectsâ€"

(i) employment under the State Government;

(ii) acquisition of immovable property in the State;

(iii) settlement in the State; or

(iv) right to scholarships and such other forms of aid as the State Government may provide, shall be void on the ground that it is inconsistent with or takes away or abridges any rights conferred on the other citizens of India by any provision of this part.â€

2. Uttarakhand to bring special heritage law

In news:

- Uttarakhand government is planning to bring a special legislation to cover unprotected heritage in the state.
- **Aim:** preserve buildings and sites of historic, aesthetic, cultural or environmental value which are not protected by the central law of the Archaeological Survey of India or any other existing government policies.
- The Uttarakhand Heritage Act seeks to conserve landmarks such as the Almora Jail, where Pt Jawaharlal Nehru was imprisoned, the colonial-era Raj Bhawan in Nainital, historic precincts and trees, groves and natural fields of environmental significance.
- The statute would also cover natural features of environmental significance and sites of scenic beauty and provide for conservation and protection of areas which are environmentally sensitive.
- **Key fact:**

1. Around 71 monuments in Uttarakhand are protected by the State government under the Ancient Monuments and Archaeological Sites and Remains Act.
2. Another 40 archaeological sites are covered by the Central government, through the ASI, under the same

3. [Brahmin federation for quota based on economic status](#)

In news:

- **All India Brahmin Federation (AIBF) demands:**

1. Abolition of caste-based reservation and implementation of a new reservation policy based on economic status for admissions, employment and promotions.

- **Key Fact:** The AIBF is the apex body of Brahmin organisations in the country.

4. [All that data that Aadhaar captures](#)

Context:

- After denying the right to privacy for years, the government welcomed the judgement
- CEO of the UIDAI, asserted, "The Aadhaar Act is based on the premise that privacy is a fundamental right and the judgement would not affect Aadhaar as the required safeguards were already in place.

Aadhaar and Right to Privacy

- Aadhaar, in its current form, is a major threat to the fundamental right to privacy
- Common perception that the main privacy concern with Aadhaar is the confidentiality of the Central Identities Data Repository (CIDR). This is misleading for two reasons.
- One is that the CIDR is not supposed to be inaccessible.
- On the contrary, the Aadhaar Act 2016 puts in place a framework for sharing most of the CIDR information.
- It collects biometric information, identity information and personal information.
- The first two are formally defined in the Aadhaar Act, and protected to some extent. The biggest threat to privacy, relates to the third type of information.
- In the Aadhaar Act, biometric information essentially refers to photograph, fingerprints and iris scan, though it may also extend to "other biological attributes of an individual" specified by the UIDAI.
- The term "core biometric information" basically means biometric information minus photograph, but it can be modified once again at the discretion of the UIDAI.
- One concern is the confidentiality of personal information an individual may not wish to be public or accessible to others. The Aadhaar Act puts in place some safeguards in this respect, but they are restricted to biometric and identity information.

Sharing identity details

- The strongest safeguards in the Act relate to core biometric information.
- That part of the CIDR, is supposed to be inaccessible except for the purpose of biometric authentication.
- There is a view that, in practice, the biometric database is likely to be hacked sooner or later.
- Aadhaar Act puts in place a framework to share it with "requesting entities". The core of this framework lies in Section 8 of the Act, which deals with authentication
- Aadhaar Act includes a blanket exemption from the safeguards applicable to biometric and identity information on "national security" grounds.
- This effectively makes identity information accessible to the government without major restrictions.

Mining personal information

- Aadhaar is a tool of unprecedented power for mining and collating personal information.
- For example, suppose Aadhaar number becomes mandatory for buying a railway ticket. With computerised railway counters, government will have all the details of your railway journeys, from birth onwards. The government can do exactly what it likes with this personal information
- By the same reasoning, if Aadhaar is made mandatory for SIM cards, the government will have access to your lifetime call records, and it will also be able to link your call records with your travel records.
- Nothing in the Aadhaar Act prevents the government from using Aadhaar to link different databases, or from extracting personal information from these databases.
- Indeed, many State governments under the State Resident Data Hub (SRDH) project, which "integrates all the departmental databases and links them with Aadhaar number"
- Some of the private agencies do have access to a fair amount of personal information from their own databases.

1. Reliance Jio is in possession of identity information for more than 100 million Indians, harvested from the CIDR when

they authenticate themselves to buy a Jio SIM card.

Category:Â : INTERNATIONAL AFFAIRS/BILATERAL RELATIONS

1. Rohingya refugee issue: Dhaka plea made MEA shift stand

Context:

- Rohingyaâ€™s deportation issue.

Indiaâ€™s shift in position on the Myanmar issue:

- **India-Myanmar joint statement during Prime Minister Narendra Modiâ€™s visit:** didnâ€™t include any reference to the refugee situation.
- India has now expressed deep concerns about the outflow of Rohingya refugees for the first time in recent month. It was prompted by a series of requests from the Bangladesh government at the highest levels.

2. India, U.S. in talks for C-17 deal

In news:

- India is in talks with the U.S. for buying another Boeing C-17 Globemaster transport aircraft to be added to its fleet of 10.
- Since induction in 2013, the aircraft has become the mainstay of Indiaâ€™s humanitarian assistance and disaster relief efforts.
- **Importance:**

1. The proposed sale will improve Indiaâ€™s capability to meet the current and future strategic airlift requirements.
2. India lies in a region prone to natural disasters and will use the additional capability [aircraft] for humanitarian assistance and disaster relief.

Category:Â INTERNAL SECURITY AND DEFENSE

1. Around the world in seven months

In news:

- Defence Minister Nirmala Sitharaman , hailed the global circumnavigation being attempted by an all-women Indian Navy crew of â€˜Navika Sagar Parikrama.â€™
- **â€˜Navika Sagar Parikrama,â€™**

1. The first-ever attempt by an all-women crew to circumnavigate the globe, will have stopovers at four ports â€" Fremantle (Australia), Lyttleton (New Zealand), Port Stanley (Falklands) and Cape Town (South Africa) â€" for replenishments and repairs.
2. It will return to Goa in April next year.
3. The crew will collate and update Meteorological/ Ocean/ Wave data on a daily basis for subsequent analysis by research and development organisations. They will also monitor and report marine pollution on the high seas.

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F. Practice Questions for UPSC Prelims Exam

G. UPSC Mains Practice Questions

GS Paper I

1. Critically analyse urban transport challenges in Indian cities and policy responses needed to address these challenges.

GS Paper II

1. Critically evaluate the focus and performance of Centreâ€™s Swachh Bharat Mission.

GS Paper III

1. Discuss the practical solutions that can plug loopholes in Public Distribution System.