

SOCIAL ISSUES / POLITY

Regulating Freedom of Speech on Social Media

In Context: Recently, The Karnataka High Court admonished Twitter for not complying with the blocking orders by the Ministry of Electronics and Information Technology (MeitY).

Freedom of Expression & its restrictions in India

❖ **Freedom of Expression:**

✓ Article 19 (a) of the Indian constitution guarantees to every citizen of India the Freedom of speech and expression.

✓ It is a fundamental Right of the Indian Constitution.

❖ **Restriction on freedom:**

✓ However this Freedom under Article 19 is also not absolute. It faces certain restrictions under Article 19(2), which are as follows:

✓ Matters related to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

Constitutionality of the blocking orders

➤ **Information Technology Act, 2000:**Section 69A of the Information Technology Act, 2000, empowers the state to issue blocking orders in cases of emergency on the grounds such as

✓ Sovereignty and integrity of India,

✓ Defence of India,

✓ Security of the State,

✓ Friendly relations with foreign States,

✓ Public order or For preventing incitement to the commission of any cognizable offence relating to the above.

➤ **The Information Technology Rules, 2009:**The Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009 (Blocking Rules) lays down the procedure for any blocking order issued under Section 69A.

➤ **Shreya Singhal vs Union of India**

✓ This constitutionality of the provisions for the blocking orders was challenged in Shreya Singhal vs Union of India.

✓ In this, the Supreme Court of India upheld the validity of Section 69A and the Blocking Rules after observing that sufficient procedural safeguards were embedded.

✓ **The procedural safeguards are such as:**

▪ Provision of recording a reasoned order, and

▪ Providing notice to the intermediary and the originator whose content was sought to be blocked.

Karnataka High Court's recent Judgement

➤ **Dismissal of Twitter's challenge:**

✓ The Karnataka High Court dismissed Twitter's challenge to the issuance of blocking orders by the Ministry of Electronics and Information Technology (MeitY) in connection with the taking down of Twitter accounts and specific tweets.

➤ **Turn from the Shreya Singhal case:**

✓ The Karnataka High Court has held that observations in Shreya Singhal cannot be construed to mean providing notice to the users of the content, and that even if reasons are recorded in writing, they may not be conveyed to the user.

✓ Additionally, the High Court held that claims of users whose tweets or accounts were blocked could not be espoused by Twitter and that none of the affected users had approached the High Court.

Issues & criticisms of the Judgment

✓ **Undermines the right to free:** The judgement undermines the right to free speech and expression and also paves the way for the state to exercise unchecked power while taking down content without following established procedure.

✓ Moreover, it exhibits a new trend to hinder digital rights and the exercise of free speech on the grounds of the dissemination of false speech.

✓ **Question on reasonable grounds :** Misinformation and fake news are not grounds under which free speech can be restricted under Article 19(2) and Section 69A.

✓ The Supreme Court has repeatedly held that for speech to be prejudicial to maintenance of public order, there must be a direct link between the speech and the potential threat to public order.

✓ However, the High Court is convinced that these blocking orders are "well-reasoned", even though no nexus can be established with public order and the security of the state.

✓ **Excessive and arbitrary:** Disproportionate Internet shutdown orders, such as the ones currently operating in Manipur, are routinely issued to curb this spread of false speech and misinformation.

✓ This trend to restrict fundamental rights with the "fake news" rhetoric is reminiscent of the oft-cited rhetoric of the state invoking national security to justify laws that are excessive and arbitrary.

- ✓ The Karnataka High Court's judgement subverts the procedural safeguards that must be employed while restricting the freedom of speech, and erodes the principles of natural justice which dictate for the affected party to be allowed to present their case to the best of their abilities.

Limiting future speech and expression: The High Court rejected Twitter's contention that Section 69A only permits the blocking of specific tweets. Wholesale blocking of Twitter accounts amounts to prior restraint on the freedom of speech and expression, i.e., limiting future speech and expression.

Way ahead

- ✓ There are disastrous effects of misinformation chaos including globalised and unregulated online information spaces that encourage fake news and propaganda. The state should have a robust regulatory framework for the same.
- ✓ Freedom of the press is crucial to the functioning of a vibrant democracy hence the government should ensure its wellbeing.
- ✓ Freedom of speech and expression is a complex right as it may be subject to reasonable restrictions and it is not absolute and carries with it special duties and responsibilities.

SOCIAL ISSUES

SCHEME TO SUPPORT MINOR RAPE VICTIMS:

IN Context: The Centre is coming up with a scheme for the medical and legal aftercare of rape and gang rape survivors in POCSO cases if they are abandoned by their families.

Details

Umbrella Scheme: The new scheme, is launched under the aegis of the Nirbhaya scheme.

Aim: The scheme aims to ensure both infrastructural and financial support for minor pregnant victims who have no means to fend for themselves. The scheme aims to facilitate immediate, emergency and non-emergency access to a range of services including access to education, police assistance, counseling, legal support, and insurance cover for the girl child victim and her newborn under one roof.

Fund: An amount of ₹74.1 crore has been allocated for the same.

Administration: The Government has leveraged the administrative structure of Mission Vatsalya in collaboration with State governments and Child Care institutions [CCIs] to actualize this support to minor victims.

Beneficiaries: The new scheme covers minor girls who are victims of penetrative sexual assault and aggravated penetrative sexual assault.

Age Bar: The new scheme would be available for girls up to the age of 18 years at the level of childcare institutions and for women up to 23 years at aftercare facilities.

Service:

- Along with legal aid, the girls, who have been abandoned by their family due to forced pregnancy, either due to rape, or any other reason, and have no means to support themselves, will also be provided with safe transportation for attending court hearings.
- The medical benefits available to beneficiaries of the scheme include maternity, neonatal and infant care.
- Separate space will be allocated at the child care homes for the scheme's beneficiaries as her needs would be different from other children residing there.
- A caseworker will be appointed for taking care of the rape victims and separate funds shall be provided by the Centre to the childcare home sheltering the scheme's beneficiaries.

Formalities

- ✓ It is not mandatory for the girl child victim to produce a copy of the FIR for availing of the benefits under the scheme.
- ✓ However, the persons responsible for the implementation of the scheme need to ensure that the police are informed and an FIR is registered.

NIRBHAYA SCHEME

About: In a bid to counter abuses against women and girls, Nirbhaya Fund was announced in 2013 Union Budget.

Fund: The fund was started with a corpus of Rs 1,000 crore.

Administration: The Fund is administered by Department of Economic Affairs (DEA) of the Finance Ministry.

Nodal Agency: The Ministry of Women and Child Development is the nodal agency for Nirbhaya Fund, though schemes are implemented by several Union ministries, state governments and other agencies, including non-government outfits.

Schemes under Nirbhaya Fund:

- ✓ Ministry of Women and Child Development has initiated three schemes under the Nirbhaya Fund. They are:
- ✓ One Stop Centre: These are popularly known as Sakhi Centres. The scheme began to function across India from April 2015. The scheme aims to establish centres to facilitate women who are victims of violence. The Centres provide first aid, medical aid, police assistance, legal aid and counselling support. About 186 centres will be made operational by July, 2017.
- ✓ Universalisation of Women Helpline: The Department of Telecommunication has allocated the number 181 for women helpline. As of now, Women Helplines are already operational in 18 States/UTs. These helpline numbers will link the One Stop Centres being established under the Nirbhaya Fund.

- ✓ Mahila Police Volunteer scheme: Mahila Police Volunteers (MPVs) is envisaged to act as a link between police and community and help women in distress. Haryana has become the first state to start this scheme in December, 2016. Other States are expected to follow suit.

Issue of Fund release: Haryana, which was the first to implement the Mahila Police Volunteer scheme, is the only state to report 100% utilisation. Although the scheme was supposed to be taken up by all states after its pilot, in 2020-'21, only 13 states/Union Territories reported any fund release from the Ministry, and nine of those states reported zero utilisation.

Moving Ahead

- ✓ Budgeting and planning processes must be informed by a deeper understanding of violence against women. The guidelines governing the use of the Nirbhaya Fund should be broadened to incentivise interventions in other areas, such as education, health, sanitation, public infrastructure and economic empowerment of women. For instance, Kerala, in its Gender Budget for 2021-'22, has allocated resources for medical care for women victims of violence, gender awareness in police stations and basic amenities in public places for women.
- ✓ A shift in approach is required towards preventing crimes against women, with a focus on behaviour change and sensitisation.
- ✓ Central ministries and states can be provided training on how to design and implement projects in these domains, in alignment with their specific needs.
- ✓ Annual allocations for the Nirbhaya Fund should be increased progressively so that existing projects can be strengthened and new projects in a wider range of domains can be financed.
- ✓ Given that this fund is limited, we must ensure that 100 percent of the money is utilised to assist women. The Ministry of Home Affairs can be given a separate budget for police reforms and part of those expenses can feature in the Gender Budget statement, as an overall commitment to increase safety for women.

PRELIM FACTS

1. SWAMIH Fund

IN CONTEXT: Recently, the Prime Minister of India congratulated new home owners in Bengaluru's first project under SWAMIH Fund.

About SWAMIH Fund:

- ✓ The Special Window for Affordable and Mid-Income Housing (SWAMIH) Investment Fund I is a social impact fund specifically formed for completing stressed and stalled residential projects.
- ✓ The Fund is sponsored by the Ministry of Finance, Government of India.
- ✓ It is managed by SBICAP Ventures Ltd., a State Bank Group company.
- ✓ It has one of the largest domestic real estate private equity teams focused only on funding and monitoring the completion of stressed housing projects.
- ✓ It is a Category-II AIF (Alternate Investment Fund) debt fund registered with the Securities and Exchange Board of India.

Eligibility criteria for funding

- ✓ Real estate project must be registered under the Real Estate (Regulation and Development) Act (RERA) 2016.
- ✓ Project must be classified as a non-performing asset (NPA) or be under insolvency proceedings.
- ✓ The project should have been declared as a "stalled" or "delayed" project by a competent authority.
- ✓ The fund is available only for projects that fall under the affordable and mid-income housing categories.

2. eSARAS App

IN CONTEXT: Recently, eSARAS mobile App was launched by the Secretary of Union Ministry of Rural Development, Government of India at New Delhi.

About eSARAS App:

- ✓ It is an e-commerce mobile app which will be used as a more effective platform for marketing of the products made by women of self-help groups.
- ✓ It is an initiative conceptualized by the DAY-NRLM, Ministry of Rural Development (MoRD), towards the marketing of the best, authentic handicrafts and hand-looms.
- ✓ This initiative promotes the spirit of Vocal for Local even further with easier marketing of products prepared by SHGs
- ✓ Along with that eSARAS Fulfilment Centre was also inaugurated.
- ✓ These centres will be managed by the Foundation for Development of Rural Value Chains (FDRVC - a Not for Profit Company constituted jointly by Ministry of Rural Development and Tata Trust).
- ✓ This centre will be used for processing, packaging and shipping of products that customers purchase through the eSARAS Portal and eSARAS mobile App.
- ✓ It will handle the logistics required to bring an online order to a customer's doorstep.

Key Facts about DAY-NRLM scheme.

- ✓ Deendayal Antyodaya Yojana - National Rural Livelihoods Mission (DAY-NRLM) is the flagship program of the Ministry of Rural Development.

- ✓ Its aim is promoting poverty reduction through building strong institutions for the poor, particularly women, and enabling these institutions to access a range of financial services and livelihoods.

Key Features:

- ✓ **Universal Social Mobilisation:** At least one-woman member from each identified rural poor household, is to be brought under the Self-Help Group (SHG) network in a time bound manner.
- ✓ **Participatory Identification of Poor (PIP):** All households identified as poor through the PIP process is the NRLM Target Group and is eligible for all the benefits under the programme.
- ✓ **Community Funds as Resources in Perpetuity:** NRLM provides Revolving Fund (RF) and Community Investment Fund (CIF) as resources in perpetuity to the institutions of the poor, to strengthen their institutional and financial management capacity.

3. DIAMOND LEAGUE

IN CONTEXT: Neeraj Chopra won gold in the javelin throw at the Diamond League in Lausanne (a city on Lake Geneva, in Switzerland). This was his second consecutive Diamond League win in this season following the win at Doha in May 2023.

About

- ✓ The Diamond League is an annual series of elite track and field competitions.
- ✓ **Background:** It was started in 2010 as a replacement for the previous IAAF Golden League and IAAF World Athletics Final events.
- ✓ **Organizers:** The Diamond League is organised by World Athletics (formerly IAAF or International Association of Athletics Federations), the international governing body for athletics.
- ✓ **The 2023 Diamond League:** The 14th edition of the Diamond League began in May 2023 in Doha, the capital of Qatar. The fifteen meetings in this edition are scheduled at various cities across the world. The finals will be held in September 2023 in Eugene, United States.

4. Osmosis

IN CONTEXT: Recently, the Osmosis process was seen in the news.

About Osmosis

- ✓ It is the term used to refer specifically to the diffusion of water across a differentially- or semi-permeable membrane.
- ✓ It is a common physical process observed in living cells and tissues of all organisms.
- ✓ It occurs spontaneously in response to a driving force and the net direction and rate of osmosis depends on both the pressure gradient and concentration gradient.
- ✓ Water will move from its region of higher chemical potential (or concentration) to its region of lower chemical potential until equilibrium is reached.
- ✓ At equilibrium the two chambers should have the same water potential.
- ✓ A German plant physiologist named Wilhelm Pfeffer first thoroughly studied osmosis in 1877, after various other studies by other scholars on leaky membranes.

Relevance

- ✓ It is incredibly important in biology, where liquids move from one part of an organism to another through cellular membranes that are semipermeable.
- ✓ In trees, osmosis is part of a pumping system that transports water and nutrients up from the roots to the leaves

5. Swami Vivekananda

IN CONTEXT: Every year, 4th July is observed as the death anniversary of Swami Vivekananda, who is regarded as a one of the finest spiritual leaders and intellects India has produced.

ABOUT:

- ✓ **Birth:** He was born as Narendranath Datta on 12th January, 1863.
- ✓ National Youth Day is held every year to observe the birth anniversary of Swami Vivekananda.
- ✓ In 1893, upon the request of Maharaja Ajit Singh of the Khetri State, he took the name 'Vivekananda.'

Contributions:

- ✓ Introduced the world to the Indian philosophies of Vedanta and Yoga.
- ✓ He preached 'neo-Vedanta', an interpretation of Hinduism through a Western lens, and believed in combining spirituality with material progress.
- ✓ Laid the greatest emphasis on education for the regeneration of our motherland. Advocated a man-making character-building education.
- ✓ Best known for his speech at the World Parliament of Religion in Chicago in 1893.
- ✓ Spelt out the four pathways of attaining moksha from the worldly pleasure and attachment in his books - Raja-yoga, Karma-yoga, Jnana-yoga and Bhakti-yoga.
- ✓ Netaji Subhas Chandra Bose had called Vivekananda the "maker of modern India."
- ✓ **Associated Organisations:** He was the chief disciple of the 19th-century mystic Ramakrishna Paramhansa and established the Ramakrishna Mission in 1897. Ramakrishna Mission is an organization which works in the area of value-based education, culture, health, women's empowerment, youth and tribal welfare and relief and rehabilitation.

- ✓ In 1899, he established the Belur Math, which became his permanent abode.
- ✓ **Death:** He died at Belur Math in 1902. Belur Math, located in West Bengal, is the headquarters of Ramakrishna Math & Ramakrishna Mission.

ANSWER WRITTING

Q. Lucknow Pact between the Congress and Muslim League was an acceptance of the separate interests of the two communities. In light of the above statement, explain the fallouts of the Pact on Indian freedom movement.

INTRODUCTION: The Lucknow Pact was an agreement reached between the Indian National Congress and the Muslim League at a joint session of both the parties held in Lucknow in December 1916. Through the pact, the two parties agreed to allow representation to religious minorities in the provincial legislatures. The Lucknow Pact between the Congress and the Muslim League could be considered an important event in the course of the national struggle for freedom.

Following conditions were accepted by Congress and League:

- ✓ While the League agreed to present joint constitutional demands with the Congress to the government, the Congress accepted the Muslim League's position on separate electorates which would continue till any one community demanded joint electorates.
- ✓ The Muslims were also granted a fixed proportion of seats in the legislatures at all-India and provincial levels.
- ✓ The Congress and League made the following joint demands to the British:
 - Government should declare that it would confer self government on Indians at an early date.
 - The representative assemblies at the central as well as provincial level should be further expanded with an elected majority and more powers given to them.
 - The term of the legislative council should be five years.
 - The salaries of the Secretary of State for India should be paid by the British treasury and not drawn from Indian funds.
 - Half the members of the viceroy's and provincial governors' executive councils should be Indians.
- ✓ There is no doubt that the Lucknow Pact was a sincere attempt to strike unity between the Congress and the Muslim League. But at the same time, it was also responsible for sowing the seeds of Muslim separatism, which finally resulted in the demand for a separate homeland for the Muslims.

The negative fallouts of Lucknow Pact were:

- ✓ The three communal points in Lucknow pact were:
 - The number of Muslims in the provincial legislatures should be laid down province by province.
 - Muslims should be given 1/3 representation in Central Govt.
 - There should be separate electorates for all communities until they ask for joint electorate.
- ✓ While the effort of the Congress and the Muslim League to put up a united front was a farsighted one, the acceptance of the principle of separate electorates by the Congress implied that the Congress and the League came together as separate political entities. This was a major landmark in the evolution of the two-nation theory by the Muslim League.
- ✓ It was under the Lucknow Pact, that the Muslims were recognized as the separate community, with separate interests and which can be taken care of by Muslims only. Even Gandhiji was critical of the Pact and pointed out that it amounted to treating Hindus and Muslims as separate from each other.
- ✓ Also, it was the earliest phase of national movement. While the leaders of the two groups came together, efforts to bring together the masses from the two communities were not considered. When the mass phase of national movement started, people were divided on communal lines.
- ✓ The Muslim League got the veto power to stop any Bill from being passed by the provision that any community can stop a Bill through a three-fourth majority, thus bringing in an obstructionist method in the functioning of legislatures and blocking pro-freedom demands made by Congress.

Conclusion: The controversial decision to accept the principle of separate electorates represented a serious desire on the part of the Congress to allay minority fears of majority domination. Moreover, there was a large amount of enthusiasm generated among the people by this reunion. Even the government decided to placate the nationalists by declaring its intent to grant self-government to Indians in times to come, as contained in Montagu's August 1917 declaration. Another positive contribution of the pact was that it paved the way for Hindu-Muslim cooperation in coming years in the Khilafat movement and the Non-cooperation movement in 1920.

MCQs

1. Considered the following statement:
 1. Introduced the world to the Indian philosophies of Vedanta and Yoga.
 2. National Youth Day is held every year to observe the birth anniversary of Swami Vivekananda
 Which of the above statement is/ are correct?
 - a) Only 1
 - b) Only 2
 - c) **Both 1 and 2**
 - d) None
2. With reference to Osmosis, consider the following statements:
 1. It is the movement of molecules of solvent from a region of its higher concentration to a region of its lower concentration.
 2. It is observed in living cells and tissues of all organisms.
 Which of the statements given above is/are correct?
 - a) Only 1

- b) Only 2
c) **Both 1 and 2**
d) None
3. Considered the following statement regarding
- The Diamond League is organised by World Athletics.
 - Neeraj Chopra won gold in the javelin throw at the Diamond League in Lausanne.
- Which of the statements given above is/are correct?
- a) Only 1
b) Only 2
c) **Both 1 and 2**
d) None
4. Consider the following pairs:
- | Countries | Festival |
|--------------|-----------------|
| 1. India | Ashadha Purnima |
| 2. Sri Lanka | Esala Poya |
| 3. Thailand | Asanha Bucha |
- How many pairs given above are correctly matched?
- a) Only 1
b) Only 2
c) **Only 3**
d) None
5. Consider the following statements regarding Supermoon:
- It occurs when the Moon's orbit is closest to the Earth at the same time that the Moon is full.
 - In a typical year, there can be at most one supermoon.
 - The term "Supermoon" was coined by astrologer Richard Nolle in 1979.
- How many of the statements given above is/are correct?
- a) Only 1
b) **Only 2**
c) Only 3
d) None
6. With reference to the eSARAS mobile App, consider the following statements:
- It is used as a platform for marketing the products made by women of self-help groups.
 - It is an initiative by the Union Ministry of Rural Development (MoRD).
- Which of the statements given above is/are correct?
- a) Only 1
b) Only 2
c) **Both 1 and 2**
d) None
7. Considered the following statement regarding SWAMIH Scheme.
- Full form of the scheme is The Special Window for Affordable and Mid-Income Housing (SWAMIH)
 - The Fund is sponsored by the Ministry of Finance, Government of India.
- Which of the statements given above is/are correct?
- a) Only 1
b) Only 2
c) **Both 1 and 2**
d) None
8. Diversity for Restoration (D4R), often seen in the news, is associated with which of the following?
- Initiative of government to restore people displaced by Biparjoy cyclone
 - Programme by United Nations for restoration of mangroves along the coasts in Pacific Countries.
 - It is the initiative of the Ministry of Social Justice and Empowerment to provide skilled employment to tribal people.
 - It is a tool that aids in agro forestry and systematic restoration of the ecosystem.**
9. Consider the following statements:
- Under Article 164 of the Constitution, the Deputy Chief Minister is appointed by the Governor without any advice from anyone.
 - The pleasure of the Governor under the Constitution of India is not the same as that of the colonial Governor.
- Select the correct statements using the codes given below:
- a) Only 1
b) Only 2
c) Both 1 and 2
d) **None**
10. Considered the following statement:
- It is located in Uttar Pradesh.
 - It lies along the India-Nepal border in the foothills of the Himalayas and the plains of the 'terai' in Uttar Pradesh.
 - The Sharda Sagar Dam lies on the boundary of the reserve.
- How many of the following statement is/are correct?
- a) Only 1
b) Only 2
c) **Only 3**
d) None