



PLUTUS IAS Weekly

CURRENT AFFAIRS



PLUTUS IAS WEEKLY CURRENT AFFAIRS 23-08-2021 to 29-08-2021

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CURRENT AFFAIRS

AUGUST 2021

Breaking the Logjam, Handing over the baton (The Hindu, GS-2, Polity)

CONTEXT:

The Supreme Court Collegium led by the Chief Justice of India (CJI) first time ever recommended/selected as many as nine persons at one go to be appointed to the apex court. The Collegium selected all the nine vacancies in the Supreme Court which will be filled up after president assent.

MOST AWAITED WHY?

- Every CJI has taken up the filling up of vacancies as a matter of utmost priority but not succeed.
- Even the then CJI T.S. Thakur in 2016 broke down, at a function attended by the Prime Minister in a rare anguish because of his inability or helplessness in filling the vacancies which was seriously affecting the functioning of the supreme judicial forum of the country.

HOW COLLEGIUM SYSTEM CAME INTO EXISTENCE:

- This system appoints and transfers judges of supreme court and high court.
- This system is neither enacted by an Act of Parliament nor by a provision of the Constitution rather through a supreme court fantasy.

HOW THE COLLEGIUM SYSTEM EVOLVED:

- **First Judges Case (1981):**
 - ▶ It declared that the consent of the Chief Justice of India (CJI)s recommendation on judicial appointments and transfers is not equal to concurrence.
 - ▶ It gave the executive a free hand over the Judiciary in judicial appointments for the next 12 years.
- **But soon Second Judges Case (1993):**
 - ▶ Here the supreme court said that“consultation” really meant “concurrence”.
 - ▶ It also said that an institutional opinion was formed in consultation with the two senior-most judges in the SC or plurality of judges not the individual opinion of CJI.
- **Third Judges Case (1998):**
 - ▶ Here the supreme court expanded the Collegium to a five-member body.
 - ▶ CJI along with four of his senior-most colleagues.

- The supreme court collegium headed by the CJI.

WHY COLLEGIUM SYSTEM IS AN ISSUE:-

- This system is neither enacted by an Act of Parliament nor by a provision of the Constitution rather through a supreme court fantasy.
- This is an opaque system where judges appoint judges and covertly names are recommended.
- There is a deadlock between the executive and judiciary over the name of the people.
- It is itself a difficult task on which all judges should agree.

WHAT ARE THE POSITIVES OF THIS COLLEGIUM MEET:

- This meeting of collegium is the first ever formal meeting of the Collegium.
- The latest resolution of the Collegium system will give unparalleled effects to the multiple judicial pronouncements of the top court.
- For the appointment as the judge of supreme court the fundamental consideration should be her/his ability to do complete justice enshrined in article 142 of our constitution.

WHAT ARE THE INDIA'S COMPELLING REALITIES:

- Unity in diversity.
- Diversity across the region as well as people.
- Intra region or inter region.
- Recently the supreme court has also admitted the diversity when CJI said There can be no denial that there is public interest in knowing about the norms which are taken into consideration in selecting candidates for higher judicial office and making judicial appointments. That means from the darkness towards light or we can say that towards the transparency.



- Currently in 9 judge recommendations, we have 3 names of women along with the backward class, schedule cast.

WAY FORWARD:-

- Memorandum of procedure.
- Judicial Restraint.
- Extra tit-Bits:- What is National Judicial appointment commission:-
- The central government will make a reference to the NJAC whenever vacancy arises in the SC or HCs.
- Existing vacancies will be notified to the NJAC within thirty days.
- When a vacancy arises due to the completion of term, a reference will be made to the NJAC six months in advance.

POWER OF THE PRESIDENT TO REQUIRE RECONSIDERATION:

- The President may require the NJAC to reconsider the recommendations made by it.
- If the NJAC makes a unanimous recommendation after such reconsideration, the President shall make the appointment accordingly.

Swarn Singh

The ugly face of a Crime Fighting move (The Hindu, GS-2, 3, Governance and technology)

CONTEXT:

There was not a single debate in parliament that could take place on the controversy over Pegasus the spyware. Some civil society activists and political leaders, Indian journalists etc were possibly under surveillance. The issue remains is the privacy of the citizenry which has not received much public debate. The Joint Committee examining the Personal Data Protection Bill was granted a fifth time extension. On one hand informational privacy is not the priority of the government and the government is simultaneously exploring the potential of facial recognition technology.

WHAT IS FACIAL RECOGNITION TECHNOLOGY?

- National Automated Facial Recognition System (NAFRS) will facilitate investigation of crime and detection of criminals all over India as it will take most of the data about face recognition.
- NAFRS will function as a national level search platform for the use of facial recognition technology.
- This NAFRS will facilitate investigation and identification of crime for e.g., a criminal regardless of face mask, makeup, plastic surgery, beard or hair extension.

WHY THIS TECHNOLOGY IS ABSOLUTELY INTRUSIVE:

- Computer algorithms map unique facial landmarks which includes the facial biometric data such as shape of the cheekbones
- Contours of the lips
- distance from forehead to chin

- Convert these into numerical codes which are termed a faceprint. Thus, for the purposes of ‘verification’ or ‘identification’
- The system compares the faceprint generated with a large existing database of faceprints (typically available to law enforcement agencies) through a database on driver’s licence or police mugshots).

WHAT IS THE ISSUE IN THE FACIAL RECOGNITION:

- This technology identifies’ or verifies’ only in probabilities (e.g., a 70% likelihood that the person shown on an image is the same person on a watch list).
- The risk of error and full mouth of biasedness still exists.
- There is a possibility of producing ‘false positives’ for example there can be a situation where the algorithm finds an incorrect match which can result into wrongful arrest.

WHAT NFRS WILL COLLECT:

- As NAFRS will collect, store sensitive private information which includes:-
 - ▶ Facial biometrics for long periods

GLOBAL CASE:

- The United States’s Federal Bureau of Investigation uses facial recognition technology for potential investigative leads.
- England’s police forces also use facial recognition to tackle serious violence.
- China use facial recognition for racial profiling and mass surveillance which some times to track Uighur Muslims and some times to racial segregation.
- Even in india many states are using this technology for Policing and law and order without fully appreciating the dangers involved

TEST OF ‘PROPORTIONALITY’

- Supreme Court in K.S. Puttaswamy vs Union of India (2017) judgement recognised right to privacy as a fundamental right
- There are three fold requirement, which are known as test of proportionality, for any law to be legitimised.

WHAT ARE THREE CONDITIONS:

- There must exist a ‘need’, in terms of a ‘legitimate state interest’
- The measure adopted must be ‘proportionate’ (there should be a rational nexus between the means adopted and the objective pursued)
- It should be ‘least intrusive.
- National Automated Facial Recognition System fails on these these tests
- **NFRS lacks ‘legitimacy’.**
 - ▶ NFRS does not take root from any statutory enactment for example DNA Technology (Use and Application) Regulation Bill 2018 which proposed to identify offenders or an executive order of the Central Government.
 - ▶ system needs to track people on a mass scale if NAFRS has to achieve the objective of ‘crime prevention’ or ‘identification’ which can result into everyone becoming a subject of surveillance: a disproportionate measure.



- ▶ In the absence of a strong data protection law or clear guidelines on whereabouts of this technology can be misused by the government and government can put anyone on a watch list

IMPACT ON RIGHTS:

- What are the repercussions if the person to be identified exists in the database and if in other scenarios it does not for example when persons are checked against watch lists.
- This is where NAFRS's deployment becomes worrisome.
- With the element of error and bias, facial recognition can result in profiling of some overrepresented groups or a bias against these groups (such as Dalits and minorities) in the criminal justice system.
- unregulated use of facial recognition technology will disincentive independent journalism and the right to assemble peaceably without arms and any other form of civic society activism which is badly needed for functioning of a liberal democracy.

GLOBAL COUNTRIES FACING SUCH ISSUES:

- In the United Kingdom, The Court of Appeal has ruled the use of facial recognition technology by South Wales as unlawful in the absence of clear guidelines.
- The Facial Recognition and Biometric Technology Moratorium Act of 2020 in the United States, was introduced in the Senate to prohibit biometric surveillance without statutory

Swarn Singh

Negotiating the New Global Climate Policy (The Hindu, GS-3, Environment)

CONTEXT:

According to the policy of the Intergovernmental Panel on Climate Change (IPCC) report reaching net zero alone is not enough as it is the cumulative emissions must be attained to net zero and that a global policy which considers only current emissions will not limit global warming and its adverse effects.

RESTRICTING WELL-BEING:

- Development already uses their carbon space causing the climate problem and developing countries are being pressured by the developed countries to limit their use of the remaining space as the solution to climate change.
- India proposed that major economies bring down their own per capita emissions to the global average by 2030 at the G20 Climate and Energy Ministerial summit.
- Reframing negotiations in terms of bringing down per person emissions, or a sustainable human well being is a necessary first step in achieving net zero of current emissions by 2050.
- Varying levels of per capita emissions converging to a common point will allow developed economies and economies in transition who have already used more than their fair share of the carbon space a larger share of the remaining space than countries such as India.

PER CAPITA EMISSIONS:

- The world stands at 6.55 tonnes of carbon dioxide in per capita greenhouse gas emissions.
- India's per capita emission stands at 1.96 tonnes is less than one third
- Emissions of the United States, Canada and Australia are more than two half times.
- Germany, the United Kingdom, France and China are above 6.4 tonnes and are just below the global average respectively.
- Accepting 'net zero' emissions by 2050 will definitely prevent India's urbanisation and shift of the rural population to urban.
- With just one fourth of the global population contributing over 60% of global cumulative emissions.
- The U.S.A. alone has contributed the global greenhouse gases around 980 Million ton for its high standard of living.

EMISSION SOURCES:

- Infrastructure
- Construction
- Essential for urbanisation
- Quality of living which is responsible for two fifths of global carbon dioxide emissions from fuel combustion.
- These emissions from energy intensive cement production
- Steel production used in construction
- Emissions for and by the expressways

- The urban boom in the U.S. and Europe between 1950 and 2000.

IDEAS AND ITS IMPLICATIONS

- New ideas such as 'climate justice' have three strategic implications.
 1. A focus on drivers and patterns of natural resources at the same time on anthropogenic emissions in considering solutions
 2. The causes of greenhouse gas emission become important when there is a shift of the population from rural to urban areas.
 3. The IPCC report has reiterated that
- A. Impacts
 - I. such as a rise in sea level
 - II. Variability of rainfall and temperature increases will be irreversible.
- 4. Multilateral cooperation must shift from common rules based monitoring emissions to common goals of human well being as a universal human right based on a policy consensus.

WAY FORWARD:

- There is a need for a debate on what society values and what are societal priorities or market exchange and pricing mechanisms determine what is to be valued, produced, and consumed.
- With consumption of the urban middle class it has become clear that the rising prosperity of the poor and their need for infrastructure is not endangering planetary life support systems.
- Because of different civilisational values the consumption of the middle class in developing countries is less wasteful when compared with the first phase of urbanisation.
- These socioeconomic trends which are not captured in the climate models based on natural sciences designed for countries must be included now in global policy.
- scientific advice and implementation review must be established to ratchet up commitments and this advice must move away from regulating emissions to recognising the ecological limits.



- Sharing prosperity should be the objective of new intergovernmental mechanisms at the global level which must include the involvement of the private sector such as supporting solar energy, joint research in new crop varieties and exchanging experiences on infrastructure viability.

Swarn Singh

An Urban Jobs Safety net (The Hindu, GS-3)

CONTEXT:

Due to the pandemic, we have faced the difficult choice of saving lives versus protecting livelihoods. Exploring these questions in the World Economic Outlook report 2021 published by the International Monetary Fund (IMF) depicts a picture where almost all countries, except China, experienced economic contraction last year. The global GDP has shrunk by 3.3%. China is the only one country who posted a growth of 2.3%.

SOME FIGURES AND DATA ABOUT GDP:

- There are almost 95 million people who have fallen into the ranks of the extreme poor category.
- The unemployment rate in the Euro Area, the U.S.A. Canada shot up to 7.1%, 8.1% and 9.6%, respectively.
- Spain, Greece, Turkey, the Philippines, Argentina, Brazil, Colombia, and Peru among others are grappling with unemployment rates in double digits.
- In India, the unemployment rate in India peaked to 23.5% in April 2020 before falling to 6.9% in February 2021 which is according to the Centre for Monitoring Indian Economy's estimates.

ISSUE REMAINS IN THIS PANDEMIC I.E. RURAL-URBAN DIVIDE:

- In the wake of economic contraction there is the challenge in minimising livelihood losses.
- We as the governments have addressed this issue from a sectoral viewpoint since independence.
- But we have to look on this issue from the way of rural urban perspective



WHY?

- **For two reasons**
 - ▶ It is essential to provide people with formal access to a livelihood safety net whenever there is an economic shock.
 - ▶ The livelihood safety net must have comprehensive coverage so that every needed human being should be included.
- (MGNREGS) exists only in rural areas so we must have same type of yozna for urban areas as well.
- We have a National Urban Livelihoods Mission for urban area but this doesn't cater to the current need.
- We have seen migrant labour moving in large numbers from the urban to rural areas, especially during this catastrophe.
- This rural-urban divide needs to be bridged if the livelihood loss is to be minimised.
- This pandemic has demolished that myth that MGNREGS checked the rural urban migration and provided a livelihood safety net in rural India.

A CASE STUDY FROM HIMACHAL PRADESH

- Himachal Pradesh (H.P.) has launched the Mukhya Mantri Shahri Aajeevika Guarantee Yojana (MMSAGY) with the objective of enhancing livelihood security in urban areas by providing 120 days of guaranteed wage employment.
- Any adult member of a household residing in the jurisdiction of the urban local body (ULB) having less than 65 years of age and willing to engage in unskilled work at projects being executed or in sanitation services being provided by the municipality can register under the scheme.
- The beneficiary is eligible to be compensated at a rate of Rs. 75 per day.
- This scheme has generated a quarter million mandays which is benefiting about 3% of the total urban households in H.P.

Swarn Singh

PMJDY-National Mission for Financial Inclusion (GS-3, Economics, Financial Inclusion)

CONTEXT:

“The journey of PMJDY led interventions undertaken over a short span of 7 years has in effect, produced both transformational as well as directional change thereby making the emerging FI ecosystem capable of delivering financial services to the last person of the society-the poorest of the poor.” Financial Inclusion is among top-most priorities of the Government as it is an enabler for inclusive growth.

- PMJDY was announced by Prime Minister, Shri Narendra Modi in his Independence Day address on 15th August 2014.
- The Ministry of Finance is committed to provide financial inclusiveness and support to the marginalized and hitherto socio-economically neglected classes.
- Financial Inclusion is a national priority of the Government as it is an enabler for inclusive growth.

- It is important as it provides an avenue to the poor for bringing their savings into the formal financial system, an avenue to remit money to their families in villages besides taking them out of the clutches of the usurious money lenders.
- A key initiative towards this commitment is the Pradhan Mantri Jan Dhan Yojna (PMJDY), which is one of the biggest financial inclusion initiatives in the world.

BACKGROUND ABOUT PRADHAN MANTRI JAN-DHAN YOJANA (PMJDY):

- It is National Mission for Financial Inclusion to ensure access to financial services, namely, Banking/ Savings & Deposit Accounts, Remittance, Credit, Insurance, Pension in an affordable manner.

OBJECTIVES OF PMJDY:

- Ensure access of financial products & services at an affordable cost Use of technology to lower cost & widen reach
- Basic tenets of the scheme Banking the unbanked – Opening of basic savings bank deposit (BSBD) account with minimal paperwork, relaxed KYC, e-KYC, account opening in camp mode, zero balance & zero charges Securing the unsecured – Issuance of Indigenous Debit cards for cash withdrawals & payments at merchant locations, with free accident insurance coverage of Rs. 2 lakh Funding the unfunded – Other financial products like micro-insurance, overdraft for consumption, micro-pension & micro-credit
- **6 pillars on PMJDY:**
 - ▶ Universal access to banking services – Branch and BC
 - ▶ Basic savings bank accounts with overdraft facility of Rs. 10,000/- to every eligible adult.
 - ▶ Financial Literacy Program– Promoting savings, use of ATMs, getting ready for credit, availing insurance and pensions, using basic mobile phones for banking.
 - ▶ Creation of Credit Guarantee Fund – To provide banks some guarantee against defaults Insurance – Accident cover up to Rs. 1,00,000 and life cover of Rs. 30,000 on account opened between 15 Aug 2014 to 31 January 2015
- **Pension scheme for Unorganized sector**
 - ▶ Accounts opened are online accounts in core banking system of banks, in place of earlier method of offline accounts opening with technology lock-in with the vendor
 - ▶ Inter-operability through RuPay debit card or Aadhaar enabled Payment System (AePS)
 - ▶ Fixed-point Business Correspondents Simplified KYC / e-KYC in place of cumbersome KYC formalities.
- **Extension of PMJDY with New features –**
 - ▶ Focus shift from ‘Every Household’ to Every Unbanked Adult’
 - ▶ RuPay Card Insurance – Free accidental insurance cover on RuPay cards increased from Rs. 1 lakh to Rs. 2 lakh for PMJDY accounts opened after 28.8.2018.
 - ▶ Enhancement in overdraft facilities – OD limit doubled from Rs 5,000/- to Rs 10,000/-; OD upto Rs 2,000/- (without conditions). Increase in upper age limit for OD from 60 to 65 years

IMPACT OF PMJDY:

- PMJDY has been the foundation stone for people-centric economic initiatives. Whether it is direct benefit transfers, COVID-19 financial assistance, PM-KISAN, increased wages under MGNREGA, life

and health insurance cover, the first step of all these initiatives is to provide every adult with a bank account, which PMJDY has nearly completed.

- One in 2 accounts opened between Mar'14 to Mar'20 was a PMJDY account. Within 10 days of nationwide lockdown more than about 20 crore women PMJDY accounts were credited with exgratia.
- Jandhan provides an avenue to the poor for bringing their savings into the formal financial system, an avenue to remit money to their families in villages besides taking them out of the clutches of the usurious money lenders.
- PMJDY has brought the unbanked into the banking system, expanded the financial architecture of India and brought financial inclusion to almost every adult.
- In today's COVID-19 times, we have witnessed the remarkable swiftness and seamlessness with which Direct Benefit Transfer (DBTs) have empowered and provided financial security to the vulnerable sections of society.
- An important aspect is that DBTs via PM Jan Dhan accounts have ensured every rupee reaches its intended beneficiary and preventing systemic leakage.



ACHIEVEMENTS UNDER PMJDY

- PMJDY Accounts: 43.04 Crore; 55.47% (23.87 crore) Jan-Dhan account holders are women and 66.69% (28.70 crore) Jan Dhan accounts are in rural and semi-urban areas
- During first year of scheme 17.90 crore PMJDY accounts were opened Continuous increase in no of accounts under PMJDY
- PMJDY Accounts have grown three-fold from 14.72 Crore in Mar'15 to 43.04 Crore as on 18-08-2021. Undoubtedly a remarkable journey for the Financial Inclusion Program.

Swarn Singh