

● POLITY

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POLITY AND GOVERNANCE

CONSECRATION TODAY; PM, PRIESTS TO LEAD CEREMONIES

CONTEXT: The temple town of Ayodhya was decked with flowers, filled with bhajans, and covered with a multi-layered security blanket on the eve of the pran pratishtha, or consecration ceremony, to be held at the Ram Temple on Monday.



The new 51-inch Ram Lalla idol, which was placed in the sanctum sanctorum last Thursday, was bathed on Sunday with 114 pitchers filled with aushadhiyukt (medicated) and sacred water brought from various pilgrimage sites. The preparatory rituals in the run-up to the ceremony were conducted by 121 priests, with the eminent priest Ganeshwar Shastri Dravid coordinating and overseeing the proceedings of the Anushtthan (rituals). Lakshmikant Dixit of Kashi is the main priest.

Starting at 10 a.m. on Monday, Mangal Dhvani (auspicious sound) will play at the temple until the ceremony is ready to begin, with artists playing 25 traditional and rare musical instruments from different States. "In Indian culture, Mangal Dhvani is composed to bring joy and to mark auspiciousness of an occasion and produced before the deity.

SCIENCE AND TECHNOLOGY

ASIA ASCENDANT

CONTEXT: On January 19, the Smart Lander for Investigating Moon (SLIM) spacecraft of the Japan Aerospace Exploration Agency (JAXA), launched in September, was expected to soft-land on the moon.

SLIM, like Chandrayaan-3, was tasked with a lunar soft-landing and deploying a rover mission (with two small rovers). The interplanetary spacecraft to the moon and Mars have been assigned suitable landing areas several hundred metres wide. SLIM however was designed to land within a 100 sq. m area, and thus its nickname "moon sniper".

SLIM's partial success comes a day after a moon-landing mission built by Astrobotic, a private U.S. company, and funded by NASA, re-entered the earth's atmosphere following a propellant leak. SLIM also happened roughly a month ahead of a landing attempt by another American company and four ahead of China's ambitious sample-return mission from the moon's far-side. JAXA's lessons from SLIM are expected to inform the planned Lunar Polar Exploration Mission, an India-Japan collaboration with India expected to provide the lander. Precision landing is valuable because it allows lunar missions to begin closer to a place of interest, where there may be a smaller patch suitable for landing, instead of landing further away and roving to the area. And the moon's surface around its south pole is mostly rough terrain. There are now five countries with the demonstrated ability to land robotic spacecraft on the moon. These plus the European Space Agency are the world's major spacefaring entities. No other such entity has a robotic lunar mission planned in the near future. Both the U.S. and Russia also last demonstrated their abilities in a bygone era, although the NASA Commercial Lunar Payload Services programme will be making frequent attempts, as with the Astrobotic mission.

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INTERNATIONAL RELATIONS

A REVIVAL OF THE IMEC IDEA AMID CHOPPY GEOPOLITICS

CONTEXT: The Yemen conflict has seen an alarming erosion in the shipping industry's confidence in the Suez Canal continuing to be the backbone of east-west trade. Shippers are not baulking at taking the long, circuitous voyage around Africa.

The core of IMEC connect Al Haditha in Saudi to Haifa in Israel. Rail projects such as Etihad Rail and the GCC Railway (Gulf Railway), one of whose routes is proposed to terminate at Al Haditha, are already underway in the United Arab Emirates and Saudi Arabia independently, which would dovetail with IMEC that targets ports such as Fujairah and Jebel Ali.

There will be a changed West Asia

Geopolitics is probably the biggest hurdle before IMEC. Turkey, which has been explicitly left out of IMEC, has already been expressive about its irritation and proposed an alternative to Saudi Arabia and Israel through Iraq and itself to access the Mediterranean.

Hydrogen and containerisation

Besides trade, electricity and digital cables, IMEC is proposed to carry hydrogen pipelines. As the world moves towards decarbonisation, hydrogen produced from fossil fuel-based processes such as methane reforming will continue to be the transition fuel until electrolysis or other "green" processes become practical. Hydrogen sourced from fossil fuels would keep Gulf nations in business in the hydrogen economy too with the corridor serving that purpose.

For India, however, the containerisation through rail and road in IMEC is a big draw. Containerisation radically quickens trade, reduces port costs. India's National Logistics Policy, unveiled in 2022, seeks to lower logistics costs to global levels by 2030. In India, some 70 % of containers move by road but optimum splits should be 30 % road, 30 % rail and the rest, coastal and inland shipping.

The dedicated rail freight corridors that link to two IMEC ports of Mundra and the Jawaharlal Nehru Port Trust (JNPT) will play into IMEC logic. But these rail projects skirt southern India, by and large. Containers in the south typically find their way to the Colombo transshipment container terminal via Chennai, Tuticorin / Thoothukudi and so on. The south can potentially leverage IMEC that promises to cut delivery schedules by 40 % if it also sees dedicated freight corridors as part of an all-India network.

Possible template

Haifa cannot be India's main gateway to the West since its current container traffic is barely one third of Mundra or JNPT and a tenth of India's current container exports. The Adani stake in Haifa port could help sync it with Adani-owned Mundra in terms of planning for capacity expansion.

IMEC will be likely to draw U.S., European, and Saudi financing, coupled with Indian financing and implementation capacity, particularly in ports. The United States International Development Finance Corporation funding for Adani Ports-owned Colombo deepwater container terminal could be a template for Haifa.

SCIENCE AND TECHNOLOGY

BETTER USE OF TECHNOLOGY NEEDS FREE ACCESS

CONTEXT: Data from the Annual Status of Education Report (ASER) 2023 report, that was released recently, confirms that the story of widening access to smartphones across the country continues. The results show that 92 % of the 14–18-year-olds who were surveyed reported knowing how to use a smartphone.

Although over 90 % of boys and girls reported knowing how to use a smartphone, almost half of them, or 44 % of the boys, owned their own smartphone. Among girls, only 20 % owned one. The difference in ownership of devices, gender-based or otherwise, can limit what these devices can be used for and can affect some abilities but not others.

For example, the ability to browse for information is equal among either boys or girls, regardless of whether they own the device or simply have access to one at home. Finding a YouTube video, which also falls under the category of browsing, is equally easy among boys who own or do not own their phones. But the skill of finding a video and sharing it depends on ownership of the device. The examples above describe tasks that the youth who were surveyed did on a smartphone (their own, a household member's, or a neighbour's) in the presence of the ASER survey team.

Other examples of how phone ownership makes a difference are visible in the youths' self-reported use of smartphones. For example, over 90% of those surveyed reported having used social media in the week prior to the survey, but the proportion of those who were familiar with safety features (such as changing a password or blocking a profile) was largely dependent on ownership.

In short, these results suggest that while access to a common smartphone can be described as basic or superficial, owning a smart device is necessary for deeper access to information and services. Smartphone skills, like all other skills, need motivation combined with the opportunity to learn. Entertainment is a great motivator. Products such as WhatsApp and YouTube have clearly motivated and helped youngsters to learn to use the new technology without a gender bias. However, in cases of certain online services and commercial activities, girls seem to show less participation than boys. This may have less to do with barriers of technology and more to do with social obstacles. Where there are no social barriers such as using the devices for school-related work, ownership of devices and gender make only a small difference: nearly 70% of youth, boys and girls, both report having used phones for studies at least once in the reference week. ASER 2023 cannot say if this has made an impact on the learning of school subjects.

Once technology, any technology, is in the hands of motivated users without constraints, they learn to use it. Motivation to use and learn new technology came during the COVID-19 pandemic. Without being taught, huge populations adopted the new technology and its applications that were useful and user-friendly. But, even before the big push of the pandemic, we saw an example on a fairly large scale of how children pick up skills without being taught.

An earlier experiment

In 2017, in an early Pratham experiment with integrating digital technology into education, small groups of 11- to 14 year olds were each given a tablet to share. Their mothers were given responsibility for its safe-keeping, with the assurance that there would be no penalty for loss or damage. Nearly 3,000 tablets were distributed in about 400 villages in Maharashtra, Uttar Pradesh, and Rajasthan. Each tablet had a password to ensure that no external content was imported. Within two weeks we discovered that passwords in half the tablets spread over villages in all three States had been changed, and the children were having a laugh at the expense of the Pratham staff. In those days it was unlikely that the children had prior exposure to devices such as tablets and smartphones in the villages. But obviously some people knew how, and the knowhow spread like wildfire, motivated by the opportunity to play mischief. Needless to say, we removed passwords in all the tablets, and the groups of children were made responsible for protection of the content. Not surprisingly, this worked very well although mistakes were made every now and then. In the above experiment, supported by the Sarva Mangal Family Trust and Google.org, ownership of the tablet was with the children by rotation and they were free to play with the device. Almost similar to the 'Hole in the Wall' project of Professor Sugata Mitra, children learned on their own and from each other. Pratham staff helped but did not teach. It is not clear if this impacted 'progress' in school subjects but boys and girls became much more comfortable with using technology.

There were different phases of this experiment including one where children started filming, editing, sharing and uploading their own videos on given themes or topics. In one phase almost half of the 4,394 group leaders were girls (49%). In other words, girls use the devices equally well as boys when they are given equal and unfettered access to the devices. In contrast, when their access is constrained, their learning also is likely to be affected negatively. The ASER 2023 reports a lower ability of girls to perform tasks such as accessing services, or making payments, or being safe on the Internet. This is strongly related to constraints in using the devices due to absence of ownership.

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SCIENCE AND TECHNOLOGY

NISAR MISSION ON TRACK FOR A LAUNCH SOON: NASA OFFICIAL

CONTEXT: The NASA-ISRO Synthetic Aperture Radar (NISAR) Mission, designed to observe natural processes and changes in earth's complex ecosystems, is on track for an "early 2024" launch.

Designed as a low-earth orbit observatory, the NISAR Mission is unique in several respects, not least the enormous amount of reliable, high-resolution data expected from it over a three-year mission life. The NISAR mission is a collaboration between the National Aeronautics and Space Administration (NASA) and the Indian Space Research Organisation (ISRO). The spacecraft is scheduled to launch in January 2024. NISAR aims to provide unprecedented observations of Earth's land and ice-covered surfaces using advanced radar imaging technology.

- **Synthetic Aperture Radar (SAR):** NISAR will carry a dual-frequency SAR instrument that operates in L-band and S-band. This allows it to penetrate vegetation and snow cover to reveal underlying features.
- **SweepSAR technique:** This technique enables NISAR to acquire high-resolution data over a wide swath, covering the entire globe every 12 days.
- **Applications:**
- **Ecosystem monitoring:** NISAR will track changes in forests, wetlands, and other ecosystems, helping us understand their role in the global carbon cycle and climate change.
- **Disaster management:** The mission will provide valuable data for monitoring natural hazards such as earthquakes, volcanic eruptions, landslides, and tsunamis.
- **Ice sheet dynamics:** NISAR will observe changes in ice sheets and glaciers, contributing to our understanding of sea level rise and global climate patterns.
- **Groundwater mapping:** The mission will map groundwater resources, which are essential for agriculture and other human activities.

'Enormous data'

A reliable set of measurements over any spot on the earth where we want to do science or monitoring applications, forest management, agriculture monitoring or even just looking at an approaching hurricane. The open science and open data policy makes the mission unique in its scope.

The data will be placed on our respective data servers in India and the U.S. and they will be made open to the public essentially as soon as they are processed to a validated data product. For many SAR (synthetic aperture radar) missions, this is simply not the case.

The mission will use a synthetic aperture radar to scan earth's land and ice-covered regions twice every 12 days in ascending and descending passes. Capable of penetrating cloud cover and operating day and night, NISAR is expected to revolutionise earth-observing capability. It is also expected to be a reliable data source for disaster monitoring and mitigation.

'Eager to collaborate'

The single observatory solution is equipped with a long wavelength band (L-Band) SAR payload system provided by NASA and a short wavelength band (S-Band) ISRO payload. Such a spatially and temporally consistent data for understanding changes in earth's ecosystems, ice mass, vegetation biomass, sea level rise, groundwater and natural hazards, including earthquakes, tsunamis, volcanoes and landslides.

For those disasters that evolve over slightly longer periods of time or where you can actually plan an observation, like a hurricane approaching, for those things, you have a reliable data source. NASA and the ISRO are interested in taking their collaboration in space forward. Both sides I think are extremely eager to find ways to collaborate on earth science, planetary science and human space (programmes).

POLITY AND GOVERNANCE**A BACKSLIDING**

CONTEXT: The Indian government's recent cancellation of Foreign Contribution (Regulation) Act licenses for organizations like the Centre for Policy Research and World Vision India raises concerns about a perceived crackdown on civil society. Critics argue that such actions undermine democratic values, potentially impacting India's global image and standing in indices of freedom and democracy.

BACKGROUND: The Indian government canceled the FCRA license of the Centre for Policy Research (CPR), a prominent think tank, citing its publications as "current affairs programming" prohibited for FCRA-funded entities. This decision has sparked concerns about shrinking space for free expression and knowledge flow in India.

SIGNIFICANCE:**IMPLICATIONS OF FCRA CANCELLATION FOR INDIAN CIVIL SOCIETY AND GOVERNMENT:****CIVIL SOCIETY:**

Shrinking space for dissent and critical voices: The cancellation of FCRA licenses for organizations like CPR and World Vision India, coupled with increasing restrictions on foreign funding, sends a chilling message to civil society organizations working on sensitive issues like environment, human rights, and accountability. This could lead to self-censorship, reduced activism, and ultimately, a weakened civil society landscape.

Financial constraints and closure of crucial initiatives: Many NGOs rely heavily on foreign funding for their work. Losing FCRA licenses can cripple their operations, forcing them to scale back or even shut down crucial programs addressing critical social issues. This impacts vulnerable communities who depend on these services.

Erosion of democracy and public trust: A vibrant civil society is vital for a healthy democracy. The government's actions raise concerns about a shrinking space for informed debate and dissent, potentially leading to decreased public trust in democratic institutions.

INDIAN GOVERNMENT:

International criticism and reputational damage: The Indian government's actions regarding the FCRA have come under heavy criticism from international human rights organizations and legal experts. This criticism tarnishes India's image on the global stage and undermines its claims of being a "Vishwaguru" and "Mother of Democracy."

Potential economic repercussions: A weakened civil society can hinder economic development by limiting its role in holding the government accountable for transparency and good governance. This can discourage foreign investment and economic growth.

Internal discontent and instability: Silencing dissent and critical voices can lead to growing frustration and dissatisfaction within the population, potentially fuelling social unrest and instability.

ADDITIONAL INFORMATION

- The International Commission of Jurists (ICJ) stated that the latest FCRA amendments "impose extraordinary obstacles on the capacity of... civil society actors to carry out their important work."
- Freedom House downgraded India to an "electoral autocracy" in its Democracy Index, citing erosion of civil liberties.
- A 2020 report by Human Rights Watch highlighted the Indian government's increasing crackdown on civil society organizations.

WHY GOVT. IS TIGHTENING THE CONTROL OVER FOREIGN FUNDING?

The cancellation of FCRA licenses for NGOs such as CPR and World Vision India, officially attributed to alleged violations of regulations on foreign funds, has prompted speculation among critics and analysts regarding several underlying reasons:

Managing Public Discourse:

Some argue that the government may seek to manage public discourse by restricting criticism and activism on issues such as the environment, human rights, and accountability. NGOs often advocate for reforms and highlight government shortcomings, which may be perceived as challenging by the ruling party.

Influence over Civil Society:

By regulating access to foreign funding, the government could potentially exercise greater influence over civil society organizations, making them more aligned with government perspectives and less independent. This may facilitate the implementation of the government's agenda with reduced opposition.

National Security Considerations:

Government claims about foreign contributions to NGOs posing national security threats might be a rationale for these actions. However, critics often question the strength of evidence supporting such assertions, suggesting that these claims may serve as a pretext to quell dissent.

Addressing Ideological Variances:

Cancellation of FCRA licenses may be a response to ideological differences between certain NGOs and the

government. This could be an attempt to suppress divergent viewpoints and promote a more unified narrative.

Political Objectives:

The timing of these cancellations, coinciding with specific political objectives, is noted by some observers. Targeting NGOs involved in human rights work, for instance, might be seen as a strategy to resonate with particular voter segments or deflect international criticism.

CONCLUSION:

The Indian government's tightening control over foreign funding through the cancellation of FCRA licenses has raised serious concerns about the state of civil society and democratic values. The repercussions for dissent, public trust, and global standing are significant. As the government asserts its authority, the need for a robust and independent civil society becomes ever more crucial for fostering open debate, ensuring transparency, and sustaining a vibrant democracy in India.

POLITY AND GOVERNANCE

POST OFFICE ACT, ITS UNBRIDLED POWERS OF INTERCEPTION

CONTEXT: On December 24, 2023, the President of India approved the Post Office Bill, 2023, set to replace the old Indian Post Office Act, 1898, once the central government issues a notification. During the Parliament debate, the Opposition raised concerns about the provision granting extensive powers to post office authorities to intercept items without clear conditions for such actions, especially in undefined 'emergency' situations. Additionally, they highlighted the absence of procedural safeguards, raising worries about potential misuse without accountability.

BACKGROUND TO POST OFFICE ACT:

The Indian Post Office Act of 1898 was the primary legislation governing postal services in India for over 125 years. It was enacted during the British Raj and reflected the colonial approach to controlling communication and information flow.

SOME KEY ASPECTS OF THE 1898 ACT:

- **Granted the central government monopoly over conveying letters:** This created a single entity responsible for postal services throughout the country.
- **Empowered the government to intercept postal items under certain circumstances:** These included public emergency, public safety, investigation of certain crimes, and prevention of incitement to offense. However, the Act lacked clear guidelines and safeguards for such interception, raising concerns about potential misuse.
- **Limited regulations on private courier services:** With the absence of specific legislation for private couriers, their operations were governed by broader legal frameworks.

Over time, the 1898 Act became outdated and needed revisions to adapt to changes in technology, communication practices, and privacy concerns. Calls for reform gained

momentum due to:

- **Technological advancements:** The rise of electronic communication challenged the Post Office's traditional role and necessitated updates to regulations.
- **Growing demand for privacy and transparency:** Increasing concerns about government surveillance and potential misuse of interception powers led to demands for stronger safeguards.
- **Evolving competition:** The emergence of private courier services highlighted the need for a level playing field and clearer regulations for all postal service providers.

In response to these factors, the government drafted the Post Office Bill, 2023, aiming to replace the 1898 Act.

INTERCEPTION UNDER CENTRAL ACTS

- On December 24, 2023, the President approved the Telecommunications Bill, 2023.
- The new bill replaces the Indian Telegraph Act, 1885, and the Indian Wireless Telegraphy Act, 1933.
- The Telecommunication Act incorporates the interception provision of the Telegraph Act.
- Rules on precautions against improper interception are consolidated into section 20(2) of the Telecommunication Act.
- Activation of section 20(2) depends on the prescription of procedures and safeguards.
- The Information Technology (IT) Act, 2000, provides a broader scope for interception without necessitating a 'public emergency.'
- In PUCI vs Union of India (1996), the Supreme Court set procedural safeguards for phone tapping due to privacy concerns.
- These safeguards remained in effect until the government amended the Telegraph Rules in 2007 and introduced Rule 419A.
- Rule 419A replaced the Court's directives and allowed interception in emergent cases for up to seven days without prior directions.
- This amendment delegated power to law enforcement agencies.
- The Court stressed the necessity of a 'public emergency' or 'public safety' for interception.

Similar procedures were prescribed under the Information Technology Rules in 2009.

APPREHENSIONS ABOUT INTERRUPTION

- **Post Office Act Lacks Procedural Safeguards:** The recently enacted Post Office Act does not include provisions for procedural safeguards, raising concerns about potential misuse of its interception powers.
- **Confidential Nature of Post Items:** The Supreme Court recognizes the confidentiality of items transported by the post office, such as letters and postcards, emphasizing the right to privacy even when personal items are entrusted for correspondence.
- **Right to Privacy in Legal Precedents:** Legal judgments, including Distt. Registrar & Collector, Hyderabad & Anr vs

Canara Bank (2005) and Justice K.S. Puttaswamy (Retd.) & Anr. vs Union of India & Ors. (2017), affirm the right to privacy, requiring written recording of reasons for search and seizure.

- **International Covenant and Directive Principle:** India's commitment to international standards, such as Article 17 of the International Covenant on Civil and Political Rights, and Directive Principle 51(c) of the Constitution, emphasizes the protection of privacy.
- **Historical Considerations:** Draft proposals on fundamental rights included the right to the secrecy of correspondence, but it was dropped due to practical concerns. Relevant laws permit interception only in specified circumstances, as observed by the Supreme Court.
- **Liberalized Interception Provision:** The Post Office Act removes major conditions from the previous legislation, such as 'the occurrence of public emergency' and 'in the interest of public safety,' making interception provisions more liberal.
- **Absence of Procedural Safeguards:** Despite the liberalization, the Act lacks provisions for procedural safeguards, necessitating a just, fair, and reasonable procedure for any interception by the post office.
- **Vague Term 'Emergency':** The term 'emergency' is deemed vague, requiring inference from Rule 419A of the Telegraph Rules or the IT Rules to clarify what constitutes 'emergent' cases.
- **Government Responsibility:** The central government must address fears of misuse to prevent potential intervention by constitutional courts, ensuring adherence to privacy rights and establishing procedural safeguards.

CONSEQUENCES OF UNAUTHORISED INTERCEPTION

- **Lack of accountability for misuse of interception powers:** Both Telegraph and Telecommunication Acts lack clear mechanisms to hold authorities accountable for exceeding or misusing these powers.
- **Inadequate safeguards for privacy:** Interception documents are destroyed after a certain period, making it difficult to track and hold authorities accountable.
- **Limited power of review committees:** Review committees can only set aside interception orders and destroy records, not recommend disciplinary action for misuse.
- **Need for stronger accountability measures:** The "good faith" clause shouldn't shield authorities from willful misuse of interception powers.
- **Potential for infringement on privacy:** Without robust safeguards, these statutes risk violating citizens' right to privacy.
- **Limited avenues for redressal:** Relief for privacy infractions under these statutes might only be possible through constitutional courts.

SIMILAR LAWS ON POSTAL INTERCEPTION IN OTHER COUNTRIES:

DEMOCRACIES:

United States: The United States Postal Service (USPS) can

only intercept mail under exceptional circumstances and with warrants specifically authorized by a federal judge. These warrants can be issued for reasons like national security, foreign intelligence, or preventing serious crimes.

Canada: Canada Post, the national postal service, requires a warrant issued by a judge for intercepting mail. Like the US, permissible reasons include national security, criminal investigations, and preventing harm to individuals.

Germany: German postal law only allows interception in exceptional cases, such as investigating serious crimes or preventing imminent danger. Interceptions require a warrant from a judge and involve strict oversight mechanisms.

France: French postal law permits interception for national security and criminal investigations, but only with authorization from a judge. There are limitations on the duration of such interceptions and procedures for independent oversight.

NON-DEMOCRACIES:

China: The Chinese postal service operates under broad government control, and interception of mail can occur without judicial warrants for reasons deemed relevant to national security or state interests.

Russia: Similar to China, Russian postal authorities have extensive powers to intercept mail without warrants, often in the context of national security or political control.

Iran: Iranian postal laws allow interception based on national security concerns or suspicion of illegal activity. Transparency and oversight mechanisms are limited.

KEY OBSERVATIONS:

- Democracies generally have stricter legal frameworks and stronger oversight mechanisms for postal interception compared to non-democracies.
- Warrants issued by judges or independent oversight bodies are often required for interception in democracies.
- The grounds for permissible interception, such as national security or criminal investigations, can be similar across both democracies and non-democracies, but the level of legal safeguards and transparency differs significantly.

SPECIFIC COMPARISON TO THE INDIAN POST OFFICE ACT:

The Indian Act seems to grant broader interception powers than some democracies, without requiring specific conditions like "public emergency" or "public safety" as mentioned in older legislation.

The lack of clear procedural safeguards and accountability mechanisms in the Indian Act raises concerns similar to those observed in non-democracies.

COMPARISON TO SIMILAR INDIAN LAWS

In India itself, there are several existing laws with provisions for intercepting communication, both similar and different to the Post Office Act:

SIMILARITIES:

Telecommunications Act, 2023: This newly enacted law replaces the Telegraph Act and Wireless Telegraphy Act and grants interception powers to authorities under specific circumstances like national security, public safety, investigation of certain crimes, etc. There are also procedural

safeguards and oversight mechanisms outlined in the Act.

Information Technology (IT) Act, 2000: This Act allows interception of electronic communication under conditions similar to the Telecommunications Act and the Post Office Act, focusing on national security, public safety, etc. It also outlines procedures and regulations for such interception.

Telegraph Act, 1885: While still technically in force until the Telecommunications Act is notified, this outdated law included similar provisions for postal interception under conditions like public emergency, public safety, etc.

DIFFERENCES:

Scope of coverage: The Post Office Act specifically focuses on postal items like letters and postcards, whereas the Telecommunications Act and IT Act cover broader electronic and digital communication channels.

Conditions for interception: The Post Office Act removes the restrictions of "public emergency" and "public safety" from the previous act, giving wider discretion for interception. The Telecommunications Act and IT Act retain these conditions.

Procedural safeguards: The Post Office Act currently lacks any specific procedural safeguards for interception, unlike the Telecommunications Act and IT Act which outline procedures and oversight mechanisms.

OTHER RELEVANT LAWS:

The Constitution of India: Articles 19 (freedom of speech and expression) and 21 (right to life and personal liberty) are crucial, as they can be invoked to challenge any interception deemed unconstitutional or violating privacy rights.

Supreme Court judgments: Various judgments like **PUCL vs Union of India (1996)** and **Justice K.S. Puttaswamy (Retd.) & Anr. vs Union of India & Ors. (2017)** have established principles of privacy and procedural fairness that apply to interception practices.

Overall, while the Post Office Act's interception provisions share similarities with other Indian laws, its lack of safeguards and broader scope raise concerns about potential misuse and infringement on privacy rights. This highlights the need for robust regulations and oversight mechanisms to ensure transparency and accountability in any communication interception practices.

INTERNATIONAL RELATIONS

THE GROWTH OF INDIA-BANGLADESH TIES

CONTEXT: Bangladesh Prime Minister Sheikh Hasina's recent electoral victory for a historic fourth term has solidified the close bilateral relationship with India. The two countries have strengthened ties in various sectors, including trade, infrastructure, and energy. However, India faces challenges with the deepening relationship between Bangladesh and China, marked by substantial Chinese investments, raising concerns about strategic influence in the region.

THE GIST

- Prime Minister Sheikh Hasina returned to power in Bangladesh for a historic fourth straight term earlier this month after her party, the Awami League, secured two-thirds of the seats in the January 7 national elections.
- PM Modi and Sheikh Hasina made history last year when they inaugurated the Akhaura-Agartala rail link that connects Bangladesh and the northeast through Tripura.
- Adding to India's concerns is the deepening relationship between Bangladesh and China, marked by substantial Chinese investments in infrastructure in recent years.

THE STORY SO FAR:

Earlier this month, **Prime Minister Sheikh Hasina secured a historic fourth consecutive term** in Bangladesh after her party, the **Awami League**, won an overwhelming majority in the January 7 national elections. Prime Minister Narendra Modi was quick to extend his congratulations, underscoring the strong and close bilateral ties between the two nations.

HOW HAVE TIES FLOURISHED?


Origins in Conflict:

The India-Bangladesh relationship began with a baptism by fire. India's crucial support during the 1971 liberation war laid the foundation, but initial euphoria gave way to tension in the mid-70s. Military regimes in Bangladesh and disputes over borders, water sharing, and insurgency strained the bond.


Renewal Under Hasina:

The tide turned in 1996 with the rise of Sheikh Hasina. Her landmark 1996 treaty on Ganga water sharing marked a new chapter. Since then, both nations have actively nurtured cooperation in diverse areas:

- **Trade:** Bangladesh is India's biggest South Asian trade partner, fostering robust economic exchange.
- **Energy:** Cross-border energy projects bring mutual benefit.
- **Infrastructure:** Joint efforts tackle connectivity challenges for both countries.
- **Connectivity:** The development of land, air, and water links strengthens regional integration.
- **Defense:** Security cooperation enhances regional stability.
- **China's Presence:** While India-Bangladesh ties flourish, China's growing role adds a new layer. Economic



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engagement and infrastructure projects raise concerns about debt traps and geopolitical influence. Bangladesh faces the delicate task of balancing relations with both its powerful neighbours.

WHAT ABOUT ECONOMIC COOPERATION?

- **Trade Boom:** Bilateral trade between India and Bangladesh has soared over the past decade, making Bangladesh India's largest South Asian trade partner and India Bangladesh's second-largest. Figures paint a vivid picture:
- **Trade value:** \$18 billion in 2021-22, a steep rise from \$10.8 billion in 2020-21.
- **Indian exports to Bangladesh:** \$2 billion in 2022.
- **Dip in 2022-23:** Slight decline due to pandemic and Russia-Ukraine war.
- **CEPA:** Promising Future:
- Both nations concluded a joint feasibility study in 2022 for a Comprehensive Economic Partnership Agreement (CEPA). This potential game-changer could:
- **Reduce/eliminate customs duties:** Boosting trade volume and competitiveness.
- **Simplify trade norms:** Streamlining procedures and easing business transactions.
- **Open new opportunities:** Expanding social and economic collaboration.
- **Bangladesh's LDC Status Transition:** Losing Least Developed Country (LDC) status after 2026 means Bangladesh risks losing duty-free and quota-free access to Indian markets. This fuels their urgency for:
- **Finalizing a Free Trade Agreement (FTA) with India:** Securing continued preferential access.
- **Exploring China-backed RCEP:** Diversifying options and hedging against potential Indian limitations.

CONCERNS FOR INDIA:

Balancing Interests: Navigating Bangladesh's desire for broader trade options while protecting Indian domestic industries can be challenging.

Chinese Influence: RCEP membership strengthens China's economic presence in the region, potentially impacting India's trade advantage.

INDIA-BANGLADESH INFRASTRUCTURE COOPERATION: BUILDING BRIDGES (AND PORTS) FOR MUTUAL GROWTH

Beyond booming trade, India and Bangladesh are actively forging strong ties in infrastructure, driven by India's role as a "major development partner." Key highlights include:

- **Financial Backbone:** Since 2010, India has extended over \$7 billion in Lines of Credit for various infrastructure projects in Bangladesh.
- **Historic Connectivity:** The Akhaura-Agartala rail link inaugurated in 2022 stands as a landmark achievement. It not only connects northeast India to Bangladesh but also provides India access to crucial Chittagong and Mongla ports, boosting trade and development in Assam and Tripura.
- **Energy Ties:** Bangladesh imports nearly 2,000 megawatts of electricity from India, signifying vital energy cooperation.

- **Regional Integration:** The BIMSTEC Master Plan for Transport Connectivity envisions connecting major transport projects across India, Bangladesh, Myanmar, and Thailand, fostering a broader shipping network.
- **Strategic Port Focus:** India's attention rests on Bangladesh's Matarbari Port, located near Tripura. This upcoming port holds immense potential as it can create a crucial industrial corridor linking Dhaka and northeast India, propelling economic growth in both regions.

ADDITIONAL POINTS TO CONSIDER:

- Infrastructure cooperation extends beyond the mentioned examples, encompassing sectors like roads, waterways, and digital connectivity.
- These projects not only enhance bilateral trade and movement of goods but also boost regional development and integration.
- Challenges like project delays and ensuring transparency in funding require continued focus.
- Continued cooperation on infrastructure, alongside initiatives like the CEPA, can unlock tremendous potential for both nations.

CHINA'S INFRASTRUCTURE COOPERATION IN BANGLADESH: A COMPLEX TAPESTRY OF INVESTMENT, DEVELOPMENT, AND CONCERN

Alongside India's significant presence, China also plays a major role in Bangladesh's infrastructure development. This cooperation, while offering substantial benefits, comes with its own set of complexities:

- **Investment Powerhouse:** China has emerged as a major investor in Bangladesh's infrastructure, with projects spanning diverse sectors:
- **Transportation:** The Padma Bridge, a 6.15 km bridge across the Padma River, is a flagship project funded by China. It aims to improve connectivity and boost economic activity in the region.
- **Power:** China has invested in several power plants, contributing significantly to Bangladesh's energy needs.
- **Ports:** China is involved in the development of Chittagong port, the country's largest, and Matarbari deep sea port, which could further enhance trade and logistics.
- **Development and Growth:** This Chinese engagement offers undeniable benefits for Bangladesh:
- **Increased infrastructure:** Improved transportation, power generation, and port facilities stimulate economic growth and development.
- **Job creation:** Infrastructure projects generate employment opportunities, benefiting local communities.
- **Financial aid:** Chinese loans and investments provide Bangladesh with much-needed financial resources.

CONCERNS AND CHALLENGES: However, China's involvement also raises concerns:

- **Debt Burden:** Large Chinese loans could lead to unsustainable debt levels for Bangladesh, potentially hindering its economic independence.
- **Transparency and Accountability:** Lack of transparency in project details and funding can lead to concerns about corruption and mismanagement.

- **Environmental Impact:** Some projects raise environmental concerns, requiring careful consideration and mitigation strategies.

BALANCING ACT FOR BANGLADESH:

Navigating this complex landscape requires careful strategy from Bangladesh:

- **Prioritizing national interests:** Infrastructure projects should align with Bangladesh's long-term development goals and priorities.
- **Diversifying partnerships:** Engaging with various partners like India, Japan, and others can reduce dependence on any single source.

LOOKING AHEAD:

China's infrastructure cooperation in Bangladesh presents both opportunities and challenges. Balancing these effectively will determine its long-term impact on the country's development and economic trajectory.

- **The Belt and Road Initiative (BRI)** plays a significant role in Chinese infrastructure projects in Bangladesh.
- **Security concerns** surrounding Chinese involvement are also a factor to consider.
- Bangladesh's ability to negotiate favorable terms and maintain transparency will be crucial in ensuring mutually beneficial outcomes.

WHAT ARE THE POINTS OF TENSION BETWEEN INDIA AND BANGLADESH?

Major Points of Tension Between India and Bangladesh:

1) Water Resources:

Teesta River Dispute: Unresolved issue of equitable water sharing, vital for Bangladesh.

Other Shared Rivers: Lack of comprehensive treaties and concerns over Manu, Khowai, Muhuri, and Feni.

2) Rohingya Crisis:

Repatriation Impasse: Bangladesh's failed attempts, straining relations with Myanmar and India.

Varying Approaches: Bangladesh seeks India's help with Myanmar, while India maintains junta ties and considers Rohingya deportation.

3) Internal Security:

Cross-border Terrorism and Infiltration: Porous borders facilitating illegal activities and security threats.

Rise of Indian Majoritarianism: Increased violence against Muslims in India impacting bilateral relations.

4) Other potential areas:

Trade and Economic Issues: Non-tariff barriers, visa challenges, and trade imbalances.

Border Issues: Enclaves, land disputes, and illegal crossings.

Security and Political Concerns: Regional dynamics, arms smuggling, and insurgent activities.

Environmental Issues: Air and river pollution, transboundary impact, and lack of coordination.

WHAT ABOUT GLOBAL TIES?

U.S. Concerns: The U.S. criticizes Sheikh Hasina's government for "democratic backsliding" and imposed sanctions on an anti-crime task force citing human rights abuses.

Visa Restrictions: U.S. announced visa restrictions on individuals allegedly undermining Bangladesh's electoral process, further straining relations.

China's Growing Role: Deepening China-Bangladesh ties worry India, with China investing heavily in Bangladeshi infrastructure projects.

Hasina's Balancing Act: Despite China's involvement, Hasina asserts careful management of the partnership to avoid overdependence.

CONCLUSION: Bangladesh's Prime Minister Sheikh Hasina's recent electoral triumph solidifies ties with India, marked by trade growth, joint infrastructure projects, and energy cooperation. However, concerns arise from deepening Bangladesh-China relations, as China invests substantially in Bangladeshi infrastructure, impacting regional dynamics. India-Bangladesh ties face challenges like the Teesta River dispute and Rohingya crisis, while global concerns involve U.S. criticism of democratic issues, visa restrictions, and China's increasing role. Balancing these complex dynamics will shape the future of regional geopolitics and economic cooperation between India, Bangladesh, and their global partners.

POLITY AND GOVERNANCE

WHAT IS THE CONFLICT BETWEEN HUL AND ITS DISTRIBUTORS?

CONTEXT: The Maharashtra and All-India Consumer Products Distributors Federations are initiating a phased boycott of Hindustan Unilever Ltd (HUL) products, protesting the reduction in fixed margins for distributors despite an increase in variable margins. Distributors demand a minimum 5% fixed margin and seek assurance that proposed incentives won't affect their margins. HUL asserts that the revised model enhances service efficiency and distributor earnings. This boycott follows a 2022 dispute over alleged price disparities. The clash highlights ongoing tensions between HUL and distributors over commercial models and pricing structures.

THE GIST

- On January 11, the Maharashtra Consumer Products Distributors Federation (MCPDF) and the All-India Consumer Products Distributors Federation (AICPDF) called for a phased boycott of products manufactured by Hindustan Unilever Ltd (HUL).
- HUL has reduced the fixed margin by 60 basis points and increased the variable margins by up to 100-130 basis points for its distributors.
- The AICPDF has argued that the revision "suggests a shift in management strategy that may jeopardise the entire

distribution network,” adding that distributors may be “pressured and blackmailed” into compromising their “rightful margins.”

THE STORY SO FAR:

On January 11, the Maharashtra State Consumer Products Distributors Federation (MSCPDF) and the All-India Consumer Products Distributors Federation (AICPDF) called for a phased boycott of products manufactured by Hindustan Unilever Ltd (HUL). This was due to an upward revision in variable margins along with a downward revision in fixed margins to distributors. Opposing the move, the AICPDF referred to it as a “double standard approach, seemingly driven by a draconian agenda to boost company profitability.”

WHAT IS THE ISSUE?

Hindustan Unilever Limited (HUL), the maker of popular brands like Lux, Kissan jam, and Surf Excel, has recently revised its distributor margins, causing an uproar among distributors.

The new policy reduces the fixed margin by 60 basis points and increases the variable margin by up to 100-130 basis points. This means that distributors will earn less upfront but can potentially earn more if they meet certain performance targets.

The All India Consumer Products Distributors Federation (AICPDF), an umbrella body of distributors, has strongly opposed the revision. They argue that it will hurt distributors' profitability and may even force some out of business. They are particularly concerned about the demanding performance parameters, which they fear may lead to unethical practices like undercutting.

The AICPDF has demanded that HUL fix the basic distributor margin at a minimum of 5% and ensure that the incentive parameters do not interfere with distributors' margins.

HUL, on the other hand, has defended the revision, arguing that it is necessary to improve efficiency and performance within the distribution network. The company has also assured distributors that they will provide support to help them meet the new performance targets.

The standoff between HUL and its distributors is likely to have a significant impact on the FMCG sector in India. If the issue is not resolved soon, it could lead to product

shortages and price hikes.

WHAT DOES THE BOYCOTT LOOK LIKE?

Commencing on January 11, the umbrella bodies have initiated a non-cooperation movement, urging distributors to boycott Hindustan Unilever Ltd's (HUL) Taj Mahal tea brand. If an agreement is not reached, the subsequent targets are the Kissan brand, effective from January 25, followed by RIN, effective from February 10. Ultimately, starting March 1, the collective intends to launch a comprehensive non-cooperation movement across all states. This movement will be accompanied by a dharna featuring 1,000 distributors in front of the HUL head office in Mumbai.

HOW HAS HUL RESPONDED?

Hindustan Unilever Ltd (HUL) defends its revised model, asserting it enhances service efficiency and provides distributors with higher earning potential, emphasizing a mutual benefit. The spokesperson highlights a distributor-inclusive approach tailored for Kirana and MSMEs, underscoring their importance in the evolving FMCG industry. Despite the boycott concerns, HUL contends distributors express a commitment to meeting consumer needs. This dispute follows a 2022 standoff over alleged price disparities between traditional and organized B2B distributors, resolved later.

CONCLUSION: the conflict between Hindustan Unilever Ltd (HUL) and its distributors, marked by a phased boycott initiated by consumer product distributors federations, centers around a contentious revision in distributor margins. HUL's adjustment, reducing fixed margins but increasing variable margins, has led to a standoff with distributors demanding a minimum 5% fixed margin. The boycott, beginning with the Taj Mahal tea brand, signifies escalating tensions. HUL defends its model, emphasizing efficiency and distributor earnings. This clash underscores ongoing challenges in commercial models and pricing structures, reflecting broader industry dynamics and the delicate balance between corporate profitability and distributor viability.

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