



# Yojna IAS

योजना है तो सफलता है

## DECEMBER 2023

### WEEKLY CURRENT AFFAIRS

**YOJNA IAS WEEKLY CURRENT AFFAIRS**  
**18/12/2023 TO 24/12/2023**

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# WEEKLY CURRENT AFFAIRS CONTENTS

S.No.	Topics	Pg No.
1.	AMRIT TECHNOLOGY	1 - 5
2.	BAHMANI SULTANATE	5 - 7
3.	TELECOMMUNICATIONS BILL	7 - 10
4.	LARGEST SUSPENSION OF MPS FROM LOK SABHA AND RAJYA SABHA	11 - 14
5.	ALL INDIA JUDICIAL SERVICE: CURRENT RELEVANCE AND CHALLENGES	15 - 19
6.	ETHANOL BLENDING IN PETROL	19 - 23
7.	'TELECOM BILL 2023' AND DIGITAL SOVEREIGNTY IN INDIA: FUTURE AND CHALLENGES	23 - 27

# CURRENT AFFAIRS

DECEMBER 2023

## AMRIT TECHNOLOGY

*This article covers "Daily Current Affairs" and the topic details "AMRIT Technology". This topic has relevance in the Science and Technology section of the UPSC CSE exam.*

### GS 3: Science and Technology

#### Why in the news?

Recently, AMRIT Technology for water purification was showcased by Indian Institute of Technology (IIT) – Madras

#### About AMRIT Technology:

AMRIT Technology, developed by the Indian Institute of Technology (IIT) – Madras, is a cutting-edge solution designed to address water quality issues by efficiently removing arsenic and metal ions from water.

#### Key Features:

- **Nano-Scale Iron Oxy-Hydroxide:** The technology incorporates nano-scale iron oxy-hydroxide, which exhibits selective removal of arsenic as water passes through it.
- **Versatility:** AMRIT is versatile, catering to both domestic and community-level water purification needs.
- **Alignment with Jal Jeevan Mission:** The technology aligns with the overarching objectives of the Jal Jeevan Mission, contributing to the mission's goal of providing safe and potable tap water to rural households across India.

#### Recognition and Recommendation:

- The 'Standing Committee' of the Department of Drinking Water and Sanitation has recommended AMRIT Technology for consideration in addressing water and sanitation challenges, highlighting its efficacy and potential impact.
- **Jal Jeevan Mission (JJM):** Transforming Rural Water Supply
  - The Jal Jeevan Mission (JJM), launched in August 2019 by the Government of India, aims to ensure the provision of safe and sufficient tap water to rural households. The mission is implemented collaboratively with states, where they assume responsibilities for planning, execution, and maintenance of water supply schemes.

## **Progress Highlights:**

### **Baseline Status (August 2019):**

- At the initiation of JJM, only 16.8% (approximately 3.23 Crore) of rural households had tap water connections.

### **Current Status (As of 07.12.2023):**

- A significant development is evident, with approximately 10.53 Crore additional rural households now equipped with tap water connections.
- Presently, out of the total 19.24 Crore rural households in India, around 71.51% (approximately 13.76 Crore households) have access to tap water supply within their homes.

## **State Responsibilities:**

### **State Control:**

- Drinking water falls under state jurisdiction, granting states the autonomy to select water technology for piped supply schemes, particularly in addressing water quality issues.

### **Government Support:**

- The central government provides crucial support to states by offering technical and financial assistance for the successful implementation of JJM.
- Collaborates with esteemed institutions such as Indian Institutes of Technology (IITs) to provide guidance on suitable technologies, especially those addressing water quality concerns.

## **Understanding Arsenic: Properties, Uses, and Concerns**

- Arsenic, a naturally occurring chemical element denoted by the symbol 'As' and atomic number 33, is commonly found in the Earth's crust in various forms, both inorganic and organic compounds.

## **Properties and Occurrence:**

### **Physical Properties:**

- Arsenic appears as a gray, metallic-looking solid at room temperature with a metallic luster.
- It can manifest in different forms, including yellow, black, and gray, with the yellow form being the most unstable.

### **Chemical Properties:**

- Reacts with oxygen and water but does not dissolve in non-oxidizing acids.
- Forms diverse compounds, both organic and inorganic, exhibiting various chemical behaviors.

### **Occurrence:**

- Naturally found in soil, rocks, water, air, and living organisms.
- Commonly coexists with other elements such as sulfur, oxygen, and metals, especially in minerals.

## **Uses and Applications:**

### **Historical and Industrial Uses:**

- Historically employed in medicine, agriculture, and cosmetics.



- Once widely utilized in manufacturing processes, including wood preservatives, pesticides, herbicides, and certain metal alloys.

### **Current Applications:**

- Semiconductor Industry: Arsenic plays a crucial role in the production of semiconductors, gallium arsenide-based electronics, and solar cells.
- Pharmaceuticals: Arsenic compounds have been explored for medical treatments, particularly in some cancer treatments.
- Agriculture: Formerly used in pesticides and herbicides, but its application has been restricted due to its toxicity.

### **Health and Environmental Concerns:**

#### **Toxicity:**

- Highly toxic, elevated exposure can lead to severe health issues.
- Inorganic arsenic compounds are particularly dangerous, associated with various health problems such as cancers (skin, lung, bladder), skin lesions, cardiovascular diseases, and developmental issues.

#### **Environmental Impact:**

- The contamination of water sources by arsenic poses a notable environmental threat.
- Groundwater contamination with arsenic is a global issue, representing a major public health risk in specific regions.

#### **Sources of Arsenic:**

- Arsenic, occurring naturally in the Earth's crust, can infiltrate groundwater, particularly in regions with specific geological formations. Anthropogenic sources, including industrial activities like mining, smelting, and pesticide use, contribute to arsenic contamination.

#### **Health Risks:**

- Chronic exposure to arsenic in drinking water poses significant health risks, leading to skin lesions, and cancers of the skin, bladder, and lungs. Long-term ingestion can result in cardiovascular diseases, diabetes, and developmental issues in children.

#### **Detection and Measurement:**

#### **Testing Methods:**

- Analytical techniques like atomic absorption spectroscopy (AAS) and inductively coupled plasma mass spectrometry (ICP-MS) are employed for measuring arsenic levels.
- On-site screening of water for arsenic contamination can be conducted using field test kits.

#### **Regulations:**

- International standards, with the World Health Organization (WHO) guideline set at 10 µg/L, define safe arsenic levels in drinking water.
- Regular monitoring and adherence to these standards are crucial for safeguarding public health.

## **Mitigation Strategies:**

### **Treatment Technologies:**

- Coagulation-Filtration: Chemical addition to bind arsenic, followed by filtration to remove arsenic precipitates.
- Adsorption Methods: Use of activated alumina, iron oxide, or activated carbon to absorb arsenic.
- Ion Exchange and Reverse Osmosis: Techniques for arsenic removal through ion exchange or selective filtration.

### **Community Interventions:**

- Implementation of community-level water treatment systems with cost-effective technologies is crucial for affected regions.
- Public awareness campaigns about arsenic dangers and the significance of safe water sources are essential.

### **Challenges:**

#### **High-Cost Barriers:**

- Advanced treatment technologies come with high costs, presenting barriers, particularly in low-resource regions.

#### **Sustainable Access:**

- Ensuring sustainable access to safe water sources and regular monitoring in arsenic-affected areas remains challenging.

#### **Ongoing Research:**

- Ongoing research focuses on developing low-cost, efficient arsenic removal technologies suitable for diverse settings.

#### **Collaboration:**

- Collaborative efforts involving scientific institutions, governments, and NGOs are crucial for implementing effective arsenic mitigation strategies.

Q.1 Regarding the AMRIT Technology for water purification recently seen in the news, consider the following statements:

1. It is especially designed to be used for filtering out non metal impurities
2. The technology incorporates nano-scale iron oxy-hydroxide to remove toxic material

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

ANSWER: B

Q.2 Assess the prospects of ensuring universal access to clean water in India. Discuss the impact of water quality on public health and the environment, and propose comprehensive strategies for

sustainable water management in the country.

## BAHMANI SULTANATE

*This article covers "Daily Current Affairs" and the topic details "Bahmani Sultanate". This topic has relevance in the Art and Culture section of the UPSC CSE exam.*

### GS 1: Art and Culture

#### Why in the news?

The Karnataka High Court has instructed the authorities in the Kalaburagi district to eliminate encroachments from the historic fort of the Bahmani Sultans situated in the city.

#### Foundation and Territorial Expansion

- Establishment by Hasan Bahman Shah: The Bahmani Sultanate, or Bahmanid Empire, was established in 1347 by Ala-ud-Din Hasan Bahman Shah, a governor who declared independence from the Delhi Sultanate and made Gulbarga the capital.
- Territorial Expansion: The empire, under rulers like Muhammad Shah I and Firuz Shah, expanded its territories, including Gulbarga, Bidar, Bijapur, and Golconda (modern-day Hyderabad), solidifying its influence in the Deccan region.

#### Administration and Governance

- Feudal System: Administrative divisions included Daulatabad, Bidar, Berar, and Gulbarga, each governed by tarafdars or subedars. A decentralized feudal system empowered provincial rulers known as walis or nayaks.
- Central Administration: Centralized administrative structures managed revenue, justice, and military affairs, ensuring effective governance.

#### Cultural and Socio-Economic Development

- Patronage of Arts and Culture: The Bahmani rulers fostered art, literature, and architecture, contributing to the development of the distinctive Deccani culture. Notable structures included Gulbarga's Jama Masjid, Bidar's Rangeen Mahal, and Bijapur's Gol Gumbaz.
- Promotion of Regional Languages: The Bahmani court supported local languages such as Dakhni and Kannada, contributing to the growth of regional literature.
- Economic Prosperity: The strategic location of the sultanate facilitated flourishing trade in horses, textiles, and spices, contributing to economic prosperity.

#### Religious Policies

- Religious Tolerance: The sultans pursued a policy of religious tolerance, fostering peaceful coexistence among Hindus, Muslims, Jains, and Christians.
- Promotion of Syncretic Culture: The Bahmani Sultanate's cultural landscape reflected the syncretic blending of diverse religious traditions and practices.

#### Decline and Fragmentation

- Internal Strife and Dynastic Conflicts: Internal conflicts and power struggles among the nobility



weakened the unity of the Bahmani Sultanate.

- Rise of Five Successor States: In 1527, the sultanate fragmented into five independent states known as the Deccan Sultanates—Ahmadnagar, Bijapur, Golconda, Berar, and Bidar—marking the end of the Bahmani Sultanate.

<b>Ala-ud-Din Hasan Bahman Shah</b>	<b>1347-1358</b>	<ul style="list-style-type: none"> <li>• Founder of the Bahmani Sultanate</li> <li>• Declared independence from the Delhi Sultanate</li> <li>• Established Gulbarga as the capital</li> <li>• Initiated the Sultanate's expansion in the Deccan</li> </ul>
<b>Early Rulers:</b>		
<b>Muhammad Shah I</b>	<b>1358-1375</b>	<ul style="list-style-type: none"> <li>• Consolidated power and expanded Bahmani territories</li> <li>• Shifted the capital to Bidar</li> </ul>
<b>Firuz Shah</b>	<b>1397-1422</b>	<ul style="list-style-type: none"> <li>• Extended Bahmani rule further into the Deccan</li> <li>• Introduced administrative reforms</li> <li>• Encouraged trade and commerce, contributing to</li> </ul>
<b>Golden Age Rulers:</b>		
<b>Ahmad Shah I</b>	<b>1422-1436</b>	<ul style="list-style-type: none"> <li>• Notable patronage of art and culture</li> <li>• Fostering a thriving cultural scene</li> <li>• Facilitated the development of the Dakhni language</li> </ul>
<b>Alauddin Ahmad Shah II</b>	<b>1436-1458</b>	<ul style="list-style-type: none"> <li>• Continued cultural and literary advancements</li> <li>• Faced internal revolts and external threats</li> </ul>
<b>Mahmud Gawan</b>	<b>1466-1481</b>	<ul style="list-style-type: none"> <li>• Witnessed the Sultanate's zenith</li> <li>• Military campaigns expanded the Sultanate's territory</li> <li>• Reconquest of Goa from Vijayanagar</li> </ul>
<b>Later Rulers:</b>		
<b>Mahmud Shah I</b>	<b>1482-1518</b>	<ul style="list-style-type: none"> <li>• Ruled during a period of internal turmoil and external invasions</li> </ul>
<b>Kalim Allah</b>	<b>1518-1527</b>	<ul style="list-style-type: none"> <li>• Last ruler of the unified Bahmani Sultanate</li> <li>• Witnessed escalating conflicts and a fragmented</li> </ul>

### Fragmentation and Emergence of Deccan Sultanates:

- After the military campaigns led by Krishnadeva Raya of the Vijayanagar Empire, the once-unified Bahmani Sultanate splintered into five distinct states, collectively known as the Deccan Sultanates. Each of these successor states operated independently, contributing significantly to the cultural, artistic, and political landscape of the Deccan region.
  - Ahmadnagar Sultanate: Established under the rule of Ahmad Nizam Shah I.
  - Bijapur Sultanate: Established by Yusuf Adil Shah.
  - Golconda Sultanate: Founded by Quli Qutb Shah.
  - Berar Sultanate: Ruled by Fathullah Imad-ul-Mulk.
  - Bidar Sultanate: Established by Amir Barid.



- Battle of Talikota (1565):

The culmination of tensions between the Deccan Sultanates and the Vijayanagar Empire resulted in the catastrophic Battle of Talikota in 1565. This pivotal conflict led to the downfall of the Vijayanagar Empire, reshaping the political dynamics of the Deccan.

### **Mughal Annexation:**

Subsequently, the Mughal Empire, particularly under the reigns of Akbar and later Aurangzeb, extended its dominion over the Deccan Sultanates. This marked the final chapter in the Bahmani legacy, as the Mughals integrated the once-independent Deccan Sultanates into their vast empire, bringing an end to their distinct political identity.

Q.1 Consider the following pairs:

1. Ahmadnagar Sultanate : Ahmad Nizam Shah I
2. Bijapur Sultanate : Quli Qutb Shah
3. Golconda Sultanate : Yusuf Adil Shah
4. Berar Sultanate : Amir Barid

How many of the above pairs are correctly matched?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

ANSWER: A

Q.2 Discuss the significant contributions of the Deccan Sultanate to the mosaic of Indian art and architecture during the medieval period.

## **TELECOMMUNICATIONS BILL**

*This article covers "Daily Current Affairs" and the topic details "Telecommunications Bill, 2023". This topic has relevance in the Economy section of the UPSC CSE exam.*

### **GS 3: Economy**

#### **Why in the news?**

Recently, the new telecom bill was introduced in Lok Sabha

#### **Background:**

The Telecommunications Bill, 2023, is introduced as a strategic response to the evolving landscape of the telecommunications sector, recognizing its pivotal role as a key driver of economic and social development and the gateway to digital services. The legislation is formulated to address the dual imperatives of ensuring the security of the nation's telecommunications networks and fostering a regulatory environment conducive to digitally inclusive growth.

## **Key Highlights of the Telecommunications Bill, 2023:**

### **Repeal of Existing Laws:**

- The bill repeals three foundational legislations: the Indian Telegraph Act, 1885; the Indian Wireless Telegraphy Act, 1933; and the Telegraph Wires (Unlawful Possession) Act, 1950.
- Concurrent amendments to the Telecom Regulatory Authority of India (TRAI) Act, 1997.

### **Authorization for Telecom-related Activities:**

- Central government authorization mandated for various activities, including providing telecommunications services, establishing, operating, maintaining, or expanding telecommunications networks, and possessing radio equipment.
- Existing licenses retain validity, either for the period of their grant or five years, if the period is unspecified.

### **Assignment of Spectrum:**

- Spectrum allocation through auction, with exceptions for specified purposes such as national security, disaster management, weather forecasting, transport, satellite services, and public broadcasting.
- Empowerment of the central government to re-purpose or re-assign any frequency range.

### **Powers of Interception and Search:**

- Authorization for the interception, monitoring, or blocking of messages on specified grounds, including public safety, public emergency, security of the state, prevention of incitement of offenses, or maintaining public order.

### **Extraordinary Government Powers:**

- Provision for temporary possession of telecom infrastructure, network, or services during public emergencies.

### **Suspension of telecom services under similar circumstances.**

- Authorized searches by government-appointed officers for unauthorised telecom network or equipment possession.

### **Powers to Specify Standards:**

- Central government empowered to prescribe standards and assessments for telecom equipment, infrastructure, networks, and services.

### **Right of Way:**

- Facility providers entitled to seek a right of way over public or private property for the establishment of telecom infrastructure.
- Right of way to be provided on a non-discriminatory and non-exclusive basis to the extent possible.

### **Protection of Users:**

- Central government's authority to implement measures protecting users, including obtaining prior consent for specified messages, creation of "Do Not Disturb" registers, and mechanisms for reporting malware or specified messages.

# WHAT'S IN THE BILL

- It seeks to allow the central government to take over any tel ecom service or network in case of public emergency
- Defines telecommunications services as "any service for telecommunications", doesn't specify internet— based calling or messaging
- Seeks to allow the central government to intercept any message between individuals
- Bats for allowing a senior private sector executive as TRAI chairperson
- Calls for three—year jail or ₹2 crore fine or both for illegal phone
- Stays silent on taking back spectrum from insolvent telcos



## Appointments to TRAI:

- Amendments to the TRAI Act, allowing individuals with at least 30 years of professional experience



to serve as the chairperson and those with at least 25 years of professional experience to serve as members.

### **Digital Bharat Nidhi:**

- Retention of the Universal Service Obligation Fund (USOF) under the 1885 Act, renamed as Digital Bharat Nidhi.
- Expanded scope to allow fund utilization for research and development (R&D).

### **Adjudication Process:**

- Appointment of an adjudicating officer by the central government for inquiries and orders against civil offenses.
- Adjudicating officer must hold a rank of joint secretary or above.
- Appeals against orders to be made before the Designated Appeals Committee within 30 days.
- Committee members to be officers of the rank of at least Additional Secretary.
- Further appeals to TDSAT (Telecom Disputes Settlement and Appellate Tribunal) within 30 days for breaches of terms and conditions.

### **Offences and Penalties:**

- Specification of various criminal and civil offenses with corresponding penalties.
- Providing telecom services without authorization, unauthorized access to telecom network or data, and breach of terms and conditions are subject to imprisonment, fines, or both.
- The Telecommunications Bill, 2023, aims to establish a contemporary legal framework, ensuring the security and regulation of telecommunications networks while propelling the nation towards a digital future.

*Source: Telecom Bill: Telecom Bill 2023 tabled in Lok Sabha: This is when the government can temporarily take over or suspend telecom services – Times of India (indiatimes.com)*

Q.1 With reference to the Telecommunications Bill, 2023, consider the following powers of the Government:

1. Authorization for interception, monitoring, or blocking of messages solely on grounds including public safety.
2. Grants extraordinary powers for temporary possession of telecom infrastructure and authorized searches for unauthorized network or equipment possession.

Which of the following is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

ANSWER: B

Q.2 Examine the constitutional and democratic implications of the provisions in the Telecommunications Bill, 2023.



# LARGEST SUSPENSION OF MPS FROM LOK SABHA AND RAJYA SABHA

*This article covers 'Daily Current Affairs' and the topic details 'Suspension of MPs from Lok Sabha and Rajya Sabha' This topic has relevance in the Polity and Governance section of the UPSC CSE exam.*

## GS 2: Polity and Governance

### Why in the News?

Recently, 143 MPs from both the Lok Sabha and Rajya Sabha belonging to the Opposition have been suspended from Parliamentary sessions due to their role in causing disruptions.

### What are the rules on the suspension of MPs?

- The fundamental rule dictates that the responsibility and duty to uphold order and ensure the smooth functioning of the House lie with the Presiding Officers i.e the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha.
- The Presiding Officers — the Speaker of Lok Sabha and Chairman of Rajya Sabha plays the major role in suspensions of Members of Parliament (MPs).
- In the Lok Sabha, the Speaker's actions are guided by Rules 373, 374, and 374A of the Rules of Procedure and Conduct of Business, while in the Rajya Sabha, the Chairman acts as per Rules 255 and 256.
- Rule 373 and Rule 255: These rules authorize the presiding officers to instruct an MP to leave the House in the event of any disruptive behavior.
- Rule 374 and Rule 256: Should an MP persistently disrupt the proceedings, the presiding officer has the authority to "name" the legislator. Subsequently, the House can propose a motion to suspend the MP for the remainder of the session.
- Rule 374A: It was introduced in the Lok Sabha's Rule Book in 2001, this rule grants the Speaker the ability to address severe and disorderly behavior. Under this provision, an MP identified by the Speaker is automatically suspended for either five days or the duration of the session's remaining part. This rule removes the need for the House to pass a motion for suspension. This provision has not been incorporated by Rajya Sabha in its procedures.

### How long can MPs be suspended for and the implications of suspension?

- MPs can be suspended for the remaining part of the session only.

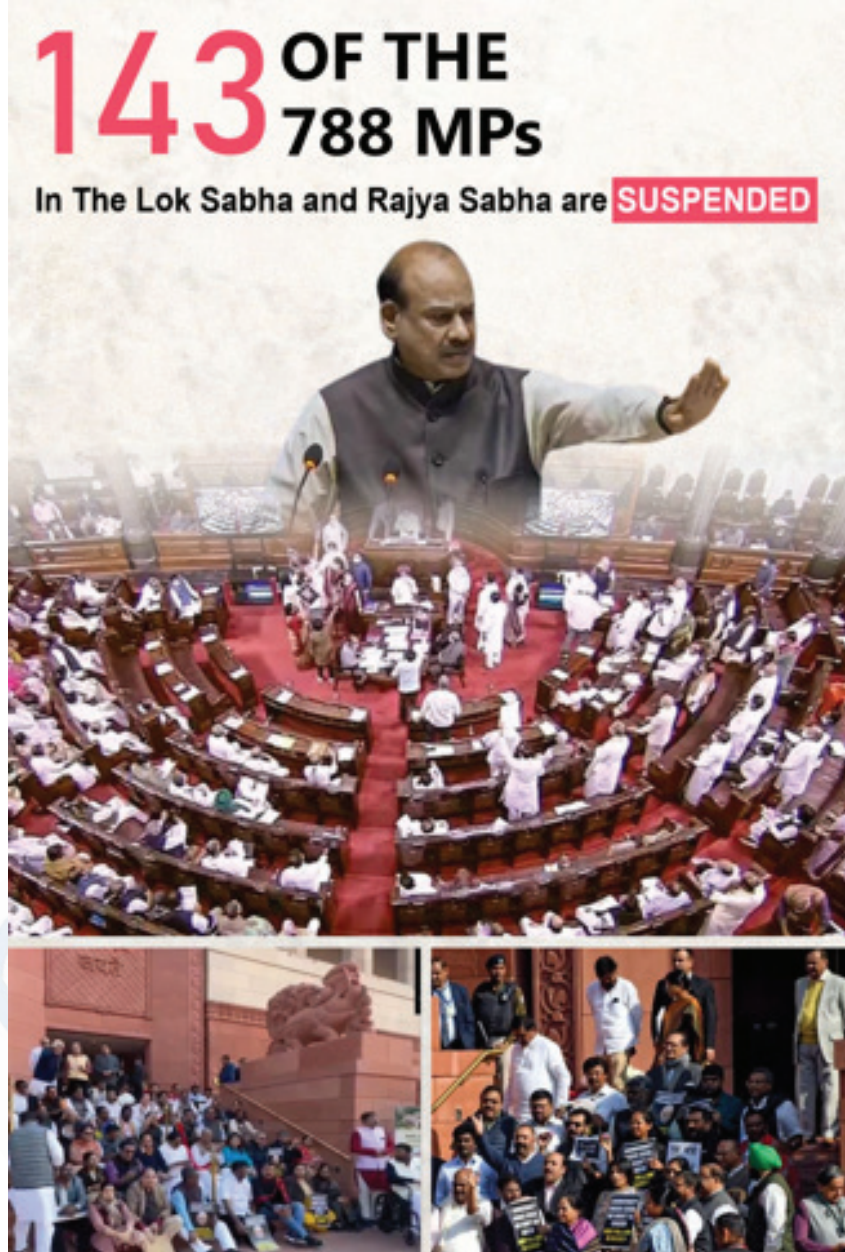
### Implications

- Suspended members cannot enter the chamber or attend the meetings of the committees.
- Suspended members are not eligible to give notice for discussion or submission.
- Members lose the right to get a reply to his questions.
- They will not be eligible to give notice for discussion or submission.
- However, the House at any point of time can reinstate a suspended member by passing a motion.

### Can courts intervene in a matter of suspension of MPs?

- Article 122 of the Constitution indicates that parliamentary proceedings cannot be questioned

before a court. However, in some cases, courts have intervened in the procedural functioning of legislatures like Maharashtra Legislative Assembly passed a resolution in its 2021 Monsoon Session suspending 12 BJP MLAs for a year. Thereafter, the matter came before the Supreme Court, which held that the resolution was ineffective in law beyond the remainder of the Monsoon Session.



### **Motivation behind Suspension of MPs**

- **Disorderly Conduct:** Suspensions may be imposed in response to disorderly conduct, disruptions, or unruly behavior during parliamentary sessions. Such actions can impede the smooth functioning of the legislature and compromise the decorum essential for productive debates.
- **Breach of Parliamentary Rules:** MPs may face suspension if they violate specific parliamentary rules, procedures, or ethical guidelines. This could include actions that contravene the established code of conduct for parliamentarians.
- **Unparliamentary Language:** The use of offensive or unparliamentary language is a common reason for suspension. Utterances that are disrespectful, derogatory, or inflammatory may lead to

disciplinary measures, including suspension, to maintain the dignity of parliamentary proceedings.

- **Physical Altercations:** Instances of physical altercations or aggressive behavior within the parliamentary premises may result in the suspension of involved MPs. Such incidents are considered serious breaches of conduct and can lead to immediate disciplinary actions.
- **Defiance of Speaker's Authority:** Refusing to comply with the Speaker's directives, challenging the authority of the presiding officer, or engaging in acts of disobedience can be grounds for suspension. This is crucial for maintaining order and ensuring the smooth functioning of parliamentary sessions.
- **Ethical Violations:** Actions that are ethically questionable, such as conflicts of interest, corruption, or other ethical violations, may prompt disciplinary action, including suspension, to uphold the integrity of parliamentary proceedings.
- **Repetitive Offenses:** MPs who repeatedly engage in disruptive behavior or violate parliamentary norms may face suspension as a means of deterring such actions and maintaining discipline within the legislative body.

### **Possible Implication of the Suspension:**

- The suspension of Members of Parliament (MPs) in Parliament carries several implications, affecting both the individuals involved and the functioning of the parliamentary system. Here are some key implications:
  - **Denial of Participation:** Suspended MPs lose their right to participate in the proceedings of the house during the period of suspension. This includes attending sessions, voting on bills, and engaging in debates. The denial of participation is a significant consequence, as it hinders the suspended members from fulfilling their legislative responsibilities.
  - **Impact on Representation:** The suspension of MPs may impact the effective representation of the constituencies they represent. Constituents may be deprived of their elected representatives' contributions and voice in parliamentary activities during the period of suspension.
  - **Disciplinary Measure:** Suspension is often a disciplinary measure taken by the parliamentary authorities in response to actions deemed inappropriate or a breach of parliamentary rules. It serves as a means of maintaining order, decorum, and the integrity of parliamentary proceedings.
  - **Political Ramifications:** Suspensions can have political ramifications, affecting party dynamics and inter-party relationships. The suspension of MPs may lead to debates on the fairness of the disciplinary action and influence public perceptions of the political parties involved.
  - **Legal Challenges:** Suspended MPs may choose to challenge their suspension through legal means, arguing that the disciplinary action is unjust or violates parliamentary norms. Legal challenges can lead to further scrutiny of the grounds for suspension and the procedures followed.
  - **Preservation of Parliamentary Decorum:** The suspension of MPs is intended to uphold the dignity and decorum of parliamentary proceedings. It serves as a deterrent against disruptive behavior and actions that could undermine the functioning of the legislature.
  - **Duration and Review:** Suspensions are typically of a specific duration, and the parliamentary rules may allow for a review of the suspension. This review process provides an opportunity for suspended MPs to appeal and seek a reconsideration of the disciplinary action.

### **Challenges and Criticisms**

The suspension of MPs in India has been met with criticism and scrutiny which are as follows:

- **Potential for Abuse:** Critics argue that the power to suspend MPs could be misused for political expediency, stifling dissent and opposition within the legislative framework.



- **Need for Transparency:** There is a perceived lack of transparency in the criteria and process for suspending MPs, leading to allegations of arbitrary and unfair disciplinary actions.
- **Legal Ambiguities:** The legal framework governing MP suspensions lacks clarity in certain aspects, necessitating reforms to ensure consistency, fairness, and adherence to constitutional principles.

### The Way Forward

Addressing the challenges associated with the suspension of MPs in India requires a multi-faceted approach:

- **Reform of Parliamentary Rules:** There is a need to revisit and reform the rules governing MP suspensions to ensure transparency, accountability, and adherence to democratic norms.
- **Enhanced Dialogue:** Promoting constructive dialogue among parliamentary members to foster mutual respect and understanding, thereby reducing the need for disciplinary actions.
- **Public Awareness and Engagement:** Raising public awareness about the importance of parliamentary decorum and the role of MPs in upholding democratic values, fostering a culture of responsible governance.

### Conclusion

The suspension of MPs in India is a complex issue that intersects with various aspects of parliamentary democracy, including representation, accountability, and governance. While it serves as a mechanism for maintaining order and discipline within the legislative framework, it also raises significant questions and challenges that warrant critical examination. As India continues to strengthen its democratic institutions, addressing the complexities surrounding MP suspensions becomes essential to ensure the effective and equitable functioning of parliamentary democracy.

*Source: [https://epaper.thehindu.com/ccidist-ws/th/th\\_delhi/issues/64293/OPS/GLCC600J4.1.png?rev=2023-12-21T01:07:39+05:30&cropFromPage=true](https://epaper.thehindu.com/ccidist-ws/th/th_delhi/issues/64293/OPS/GLCC600J4.1.png?rev=2023-12-21T01:07:39+05:30&cropFromPage=true) | The Hindu*

Q1. Which of the following have provisions for the disqualification of a Member of Parliaments?

1. Rule of Procedure of Lok Sabha and Rajya Sabha
2. Constitution of India
3. RPA, 1951
4. Schedule 1 of constitution

How many statements are correct:

- A) Only 1
- B) Only 2
- C) Only 3
- D) Only 4

Answer: C

Q.2 What are the tools to ensure accountability of the Executive. To what extent, the Parliament is able to ensure accountability of the executive in India. Critically Analyze?



# ALL INDIA JUDICIAL SERVICE: CURRENT RELEVANCE AND CHALLENGES

*(This article is related to the brief summary of the combined editorials of 'Indian Express', 'The Hindu', 'Jansatta', 'Sansad TV's program Sarokar', monthly magazine 'World Focus' and 'PIB'. In this, the suggestions of the Yojana IAS team This article is specifically related to the 'Indian Polity and Governance' section of the UPSC Civil Services Examination. This article is related to 'All India Judicial Services: Current Relevance and Challenges' under 'Daily Current Affairs'.)*

**General Studies – Indian Polity and Governance.**

## Why in discussion?

- The first citizen of India and the 15th President of the country, Shrimati Draupadi Murmu, on the occasion of Constitution Day on 26 November 2023, established an All India Judicial Service (AIJS) to ensure equal representation of India's diversity in the judiciary. He also emphasized that the aim of justice is to make it accessible and equitable to all, which is yet to happen in India.
- The President said – **“A more diverse representation of India's unique diversity on the Constitutional Bench and Bar Councils certainly helps in better serving the ends of justice. “One way to accelerate this diversification process could be to create a system in which judges can be recruited from diverse backgrounds through a merit-based, competitive and transparent process.”** In such a situation, there could possibly be an All India Judicial Service, which would be able to **“select talented youth from across the country and nurture and promote their talent from lower to higher levels”** to create a larger pool of talent. **“Such a system can also provide opportunities to under-represented social groups,”** She said.
- The Government of India has recently proposed to pass a Bill to set up the All India Judicial Service (AIJS) for recruitment of officers for subordinate courts through an entrance examination.
- Immediately after independence, provision was made for an All India Judicial Service (AIJS) on the lines of the Indian Administrative Service and the Indian Police Service, but due to certain reasons, the All India Judicial Service has not been created yet.
- The idea of AIJS is currently being proposed in the backdrop of judicial reforms, particularly related to checking of vacancies and pending cases in the judiciary. The establishment of AIJS is a positive step, but it faces several constitutional and legal hurdles.



## What is All India Judicial Service (AIJS)?

### Introduction:

- It is a proposed centralized recruitment system **for judges at the level of** Additional District Judges and District Judges in all states .
- Its aim is to centralize the recruitment of judges, similar to **the Union Public Service Commission (UPSC) model, and hand over charge of states to successful candidates.**
- As per the recommendations of the Law Commission reports of the years **1958 and 1978** , the AIJS aims to address structural issues such as differential pay, recruitment against vacancies and standardized nationwide training.
- **The Parliamentary Standing Committee reconsidered the support for the All India Judicial Service in the year 2006.**

### Constitutional basis:

- **Article 312 of the Constitution** provides for the establishment of the AIJS on a proposal **supported by not less than two-thirds of the members of the Rajya Sabha**, similar to the Central Civil Services .
- However **Article 312(2)** states that the AIJS cannot include any post below the level of **District Judge (defined in Article 236)** .
- **According to Article 236** , a District Judge includes Municipal Civil Court Judge, Additional District Judge, Joint District Judge, Assistant District Judge, Chief Justice of Small Causes Court, Chief Presidency Magistrate, Additional Chief Presidency Magistrate, Session Judge, Additional Session Judge and Assistant Sessions Judge.

### Need:

- **AIJS will ensure uniform and high standards** of selection and training of judges , thereby enhancing the quality and efficiency of the judiciary.
- **AIJS will fill the vacancies of judges** in lower courts , currently **around 5,400 posts are vacant in the lower judiciary across the country and 2.78 crore cases** are pending in the lower judiciary mainly due to inordinate delay in conducting regular examinations by the states.
- AIJS will increase the representation and diversity of judges from different regions, genders, castes and communities reflecting the **social structure of the country** .
- **AIJS will reduce the scope for judicial or executive interference** in judicial appointments , thereby ensuring **the independence and accountability of judges** .
- AIJS will create a pool of talented and experienced judges who can be appointed to the higher judiciary, thereby improving the future prospects of judges and their mobility.

### Present situation:

- Due to different opinions in this regard among all the major stakeholders in India, no **consensus** has been reached on AIJS till the year 2023.
- This highlights the challenges in achieving consensus on the proposal to establish AIJS.

### How are district judges currently recruited?

- The current system consists of **Articles 233 and 234** which empower the states to appoint district judges, which is managed through the State Public Service Commissions and the High Courts, as the High Court exercises jurisdiction over the subordinate judiciary in the state. Is.
- A panel of High Court judges interviews the candidates after the examination and selects them for

appointment.

- All judges up to the level of District Judge of the lower judiciary are selected through the Provincial Civil Services (Judicial) Examination. PCS (J) is commonly known as Judicial Services Examination.
- Article 233 deals with **the appointment of District Judges** . The appointment, posting and promotion of District Judges in any State shall be made by **the Governor of the State** in consultation with the High Court exercising jurisdiction over such State.

**Article 234 deals with the recruitment of persons other than District Judges to the judicial service .**

#### **What are the concerns regarding AIJS?**

- This would be a violation of **the federal structure** and the autonomy of the States and High Courts, which have the constitutional power and responsibility to administer the subordinate judiciary.
- This would lead to conflict of interest and dual control over judges, who would be **answerable to both the Central and State governments** .
- This will disregard the local laws, languages and customs of different states, which are essential for the effective functioning of the judiciary.
- This will impact the morale and motivation of **existing judicial officers** , who will be deprived of opportunities and incentives for career advancement.

#### **The way forward to move towards solving the problem:**

- Dialogue and consultation should be facilitated with states, high courts and legal experts to address concerns and garner support for AIJS.
- Consideration should be given to implementing AIJS on a pilot basis in select states to assess its impact and gradually address the concerns.
- Designing AIJS with flexible mechanisms that allow adaptation to local methods, languages and customs should also ensure effective functioning without neglecting regional nuances.
- Proposing a clearly defined transition period during which existing judicial officers can smoothly adapt to the new system while minimizing disruptions.
- There is a need to put in place a periodic review mechanism to assess the impact of the AIJS on the federal structure, autonomy and effective functioning of the judiciary and make necessary adjustments as required.
- Develop an incentive structure within the AIJS that motivates and recognizes the contributions of existing judicial officers while addressing concerns related to career advancement.

#### **CONSTITUTIONAL PERSPECTIVE FOR AIJS:**

- AIJS was first proposed by the 14th Report of the Law Commission in the year 1958 .
- By the 42nd Constitutional Amendment in the year 1976, Article 312(1) was amended to empower the Parliament to make laws for the creation of one or more All India Services, including AIJS, with equal powers for both the Union and the States. Is.
- Under Article 312 , the Rajya Sabha is required to pass a resolution supported by at least two-thirds of its members present and voting. After this, Parliament will have to make a law to create AIJS.
- This means that no constitutional amendment will be required for the establishment of AIJS.
- The Supreme Court of India also supported this in the case 'All India Judges Association vs Union of India' (1993) and said that AIJS should be established.



## **BENEFITS OF AIJS:**

- **Number of judges as per population ratio:** A Law Commission report (year 1987) recommended that India should have 50 judges per million population as compared to (then) 10.50 judges.
- This figure exceeds 20 judges in terms of the current sanctioned strength, but is much lower than the US or the UK (107 and 51 judges per million people, respectively).
- AIJS thus envisages bridging the inherent gap in the judicial sector.
- **Higher representation of marginalized sections of the society :** According to the government, AIJS is an ideal solution for equal representation of marginalized and deprived sections of the society.
- **Attracting talent:** The government believes that if such a service comes up, it will help in creating a pool of talented people who can later become part of the higher judiciary.
- **'Bottom-up' approach:** 'Bottom-up' approach in recruitment will also be helpful in dealing with issues like corruption and nepotism in the lower judiciary. This will improve the quality of the justice system in the lower levels of the society.

## **RELATED CHALLENGES:**

- **Dichotomy between Articles 233 and 312:** According to Article 233, recruitment to the subordinate judiciary is the prerogative of the State.
- This has led many states and high courts to oppose the idea as being against federalism.
- If the fundamental power of the states to make such rules and control the appointment of district judges is taken away, it may go against the principle of federalism and the basic structure principle.

## **NOTE:**

- **Article 233 (1) of the Constitution** states that "The appointment of persons to be District Judges in any State and the posting and promotion of District Judges shall be made by the Governor of that State after consultation with the High Court exercising jurisdiction in relation to such State." Will do."
- **Linguistic barrier:** Since cases are argued in lower courts in local languages, there are apprehensions as to how a person from North India can get a hearing in a southern state. Thus another fundamental concern regarding AIJS is the language barrier.
- **Constitutional Limit:** Clause 3 of Article 312 imposes a restriction that the AIJS shall not include a post not lower than the post of District Judge. Thus the appointment of subordinate judiciary through AIJS may face constitutional hurdles.
- **Weakening the administrative control of the High Court:** The creation of AIJS will lead to erosion of control of the High Courts over the subordinate judiciary, which may affect the independence of the judiciary.

## **CONCLUSION:**

**The number of pending cases and crores of prisoners lodged in the jails in the name of 'undertrial'** in Indian jails certainly demands the establishment of a clean, transparent, competitive and merit based recruitment system which ensures speedy disposal of cases. To recruit a large number of skilled and qualified judges. However, before AIJS comes into the legislative framework, there is a need to build consensus and take a decisive step towards AIJS. At the same time, governments also need to create mutual coordination between Rajya Sabha and Lok Sabha so that in future All India Judicial Service posts are created. In the direction of creation, the mutual deadlock between the judges appointed by the Collegium and the government should be ended and the way can be paved for positive initiatives towards the creation of posts like All India Judicial Service.



### Practice Questions for Preliminary Exam:

#### Q.1. Consider the following statements with reference to All India Judicial Service in India .

1. The authority for appointment and management of District Judges and Subordinate Courts in India is exercised through the State Public Service Commissions and the High Courts of the respective States.
2. The All India Judicial Service aims to centralize the recruitment of judges, similar to the Union Public Service Commission (UPSC) model, and assign charge of states to successful candidates.
3. Article 312 of the Constitution provides for the establishment of the AIJS on a proposal supported by not less than two-thirds of the members of the Rajya Sabha, similar to the Central Civil Services.
4. AIJS was first proposed by the 14th Report of the Law Commission in the year 1958.

Which of the above statement/statements is correct?

- (a). Only 1, 2 and 3.
- (b). 1, 3 and 4 only.
- (c). None of these .
- (d). all of which.

Answer – (d)

### Practice Questions for Mains Exam:

Q.1. Discuss how the establishment of All India Judicial Service in India is a positive step in the field of judiciary in the context of recruitment of judges from diverse backgrounds through merit-based, competitive and transparent process for speedy and accessible justice system in India. ? Describe its current relevance by discussing the constitutional and legal obstacles to its creation.

## ETHANOL BLENDING IN PETROL

*This article covers “Daily Current Affairs” and the topic details “ Ethanol Blending in Petrol”. This topic has relevance in the Environment section of the UPSC CSE exam.*

*GS 3: Environment*

### Why in the news?

As more than 100 countries committed to tripling global renewable energy capacity by 2030 at COP28 in Dubai, India finds itself delicately navigating its ethanol blending target.

### Background:

The ethanol-blended petrol (EBP) in India witnessed a significant rise from 1.6% in 2013-14 to 11.8% in 2022-23. However, the ambitious goal of achieving a 20% ethanol blending target by 2025 is facing challenges. Issues such as low sugar stocks in 2022-23 and the anticipated shortfall in sugarcane production this year have added complexity to India's ethanol blending trajectory.

### About Ethanol Blending:

Ethanol blending in petrol is a sustainable practice involving the mixing of ethanol, a biofuel derived

from sugars, with petrol to create blended fuels. India, in its pursuit of energy security and environmental sustainability, has been actively implementing an Ethanol Blending Programme (EBP).

### **Common Blends:**

- E10 Blend: Comprising 10% ethanol and 90% petrol, E10 is the standard blend used in ethanol blending.
- E20 Blend: A higher ethanol blend with 20% ethanol and 80% petrol, offering increased biofuel content.

### **Ethanol Production:**

- Ethanol is produced through the fermentation of sugars by yeasts or via petrochemical processes like ethylene hydration.

### **Ethanol Blending Targets:**

- India initiated its Ethanol Blending Programme in 2003 to reduce crude oil imports, cut carbon emissions, and enhance farmers' incomes.
- The National Policy of Biofuels 2018 set targets of 20% ethanol blending in petrol and 5% biodiesel blending in diesel by 2030.
- Reflecting commendable progress, the government advanced the ethanol blending target to 20% by the Ethanol Supply Year 2025-26, showcasing the success of the program.

### **Recent Achievements:**

- In 2022, India's ethanol blending program achieved a notable milestone, reaching 10% ethanol blending in petrol.
- The advancements underscore India's commitment to sustainable energy practices and reducing dependence on conventional fuels.

### **Biofuel Association:**

- In India, biofuels are predominantly linked to first-generation (1G) ethanol, derived from food crops such as sugarcane and food grains.

### **Benefits:**

- **Reduced Dependence on Non-Renewable Fossil Fuels:**
  - Ethanol, derived from renewable sources like corn, sugarcane, or biomass, helps diminish reliance on non-renewable fossil fuels.
  - India's substantial petroleum imports (185 million tonnes in 2020-21, costing USD 551 billion) underscore the significance of reducing dependence on conventional fuels.
- **Reduced Greenhouse Gas Emissions:**

- Ethanol's oxygen content enhances fuel combustion, leading to more complete burning and reduced emissions of pollutants like carbon dioxide and carbon monoxide.
- **Improved Efficiency:**
  - Higher octane rating in ethanol improves the octane level of blended fuel, contributing to better engine performance and efficiency.
- **Boost to Farmer's Income:**
  - Ethanol production from farm residue offers a dual benefit by increasing farmers' income and reducing air pollution associated with stubble burning.

### Challenges:

- **Food Security Concerns:**
  - Lower sugar production projections (9% fall at 337 lakh tonnes for the 2023-24 marketing year) raise concerns about diverting sugar for ethanol production.
  - Adverse weather conditions, such as weak monsoons in cane-growing districts, may further impact sugar production, potentially turning India into a net sugar importer.
- **Grain-Based Ethanol Transition:**
  - The shift towards grain-based ethanol, particularly through organized maize-feed supply chains, raises concerns about food security.
  - There is a risk of diverting food grain cultivation areas for ethanol production, impacting the availability of essential food resources.
- **Environmental Concerns:**
  - Water-Intensive Agriculture: Cultivating water-intensive crops like sugarcane for ethanol production contributes to significant groundwater depletion, raising environmental concerns.
  - Agriculture's GHG Emissions: Diverting crops from food production to fuel production increases greenhouse gas (GHG) emissions in the agriculture sector, countering efforts to reduce emissions in the transport sector.
  - No Reduction in NOX Emissions: While ethanol reduces emissions like carbon monoxide, it does not address nitrous oxide emissions, a major environmental pollutant with detrimental effects.
- **Challenge of Scaling Up:**
  - Balancing economies of scale with the energy needs and costs associated with biomass collection and transport poses a challenge in scaling up ethanol production.
  - The significant increase in ethanol production capacity (from 423 crore litres in 2019-20 to 947 crore litres in 2022-23) indicates a need for additional capacity (8-10 billion litres) to achieve the 20% petrol-ethanol blending requirement in 2023.
  - The non-implementation of amended provisions of the Industries (Development & Regulation)

Act, 1951, by all states poses a significant hurdle to ethanol blending in India. Restrictions on the inter-state movement of ethanol hinder the smooth operation of the blending program.

### Way Forward

- **Exploring Ethanol from Wastes:**

- India has a unique opportunity to position itself as a global leader in sustainable biofuels by re-directing its focus towards producing ethanol from wastes.
- This shift not only promises significant climate benefits but also addresses air quality issues, as these wastes are often burned, contributing to smog.

- **Addressing Water Crisis Concerns:**

- The evolving ethanol policy must be crafted with careful consideration to avoid driving farmers towards water-intensive crops, preventing the exacerbation of the existing water crisis in a country already grappling with acute shortages.
- Given that rice, sugarcane, and wheat account for about 80% of India's irrigation water, policy adjustments are crucial.

- **Prioritizing Crop Production:**

- In the face of depleting groundwater, limited arable land, unpredictable monsoons, and declining crop yields due to climate change, there is a pressing need to prioritize food production over crops intended for fuel.

- **Exploring Alternative Mechanisms:**

- To meet the primary goal of emissions reduction, it is imperative to assess alternative mechanisms such as increased adoption of electric vehicles and the installation of additional renewable generation capacity to facilitate zero-emission recharging.
- Evaluating and incorporating diverse strategies will contribute to a comprehensive and sustainable approach to emissions reduction.

*SOURCE: Explainer: How existing curbs may impact India's 20% ethanol blending goals | Mint (livemint.com)*

#### Q.1 Consider the following statements:

1. Ethanol is mixed in diesel to produce Gasoline.
2. In 2022, India's ethanol blending program reached 30% ethanol blending in fuel.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**ANSWER: D**

#### Q.2 Evaluate the significance of ethanol blending in petrol as a sustainable approach for India's



energy security.

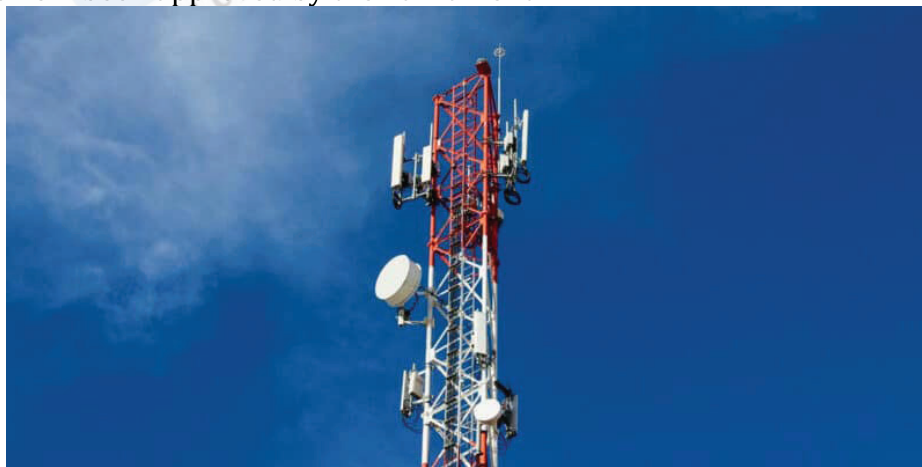
## ‘TELECOM BILL 2023’ AND DIGITAL SOVEREIGNTY IN INDIA: FUTURE AND CHALLENGES.

*(This article is from ‘Indian Express’, ‘The Hindu’, ‘Jansatta’, ‘Official websites of Bharat Sanchar Nigam Limited and Mahanagar Telephone Nigam Limited’, ‘Sansad TV’s program Sarokar’, monthly magazine ‘World Focus’ and ‘PIB’: The included editorial is a brief summary of the same. It also includes the suggestions of the Yojana IAS team. This article is about the UPSC Civil Services Examination especially ‘Polity and Governance of India, Achievements of Indians in Science and Technology, Information Technology and Computers, Growth and Development. This article is related to ‘Telecom Bill 2023’ and ‘Digital Sovereignty in India: Future and Challenges’ under ‘Daily Current Affairs’).*

**General Studies: Polity and Governance of India, Achievements of Indians in Science and Technology, Information Technology and Computers, Growth and Development, Development Related Issues and Industrial Development.**

### Why in discussion?

- Union Telecommunications Minister of the Government of India, Ashwini Vaishnav recently introduced the ‘**Telecommunications Bill 2023**’ in the Rajya Sabha . This bill was passed in the Lok Sabha only on 20 December 2023. After Lok Sabha, Rajya Sabha has also passed this bill by giving its approval by voice vote. **It also amends the Telecom Regulatory Authority of India (TRAI) Act, 1997.** Under this bill itself, non-auction process will be adopted for allocation of satellite spectrum. The Bill allows the Central Government to take over the telecommunication network in case of any public emergency or in the interest of public safety. This new bill will replace **the Indian Telegraph Act 1885, the Indian Wireless Telegraphy Act 1933 and the Telegraph Telegraph (Unlawful Possession) Act 1950** . With this, the Indian Telecom Bill 2023 has now been approved by the Parliament.



### MAJOR PROVISIONS OF THE INDIAN TELECOM BILL 2023:

- **Authorization for telecommunication related activities:** Service provider companies will now require prior authorization from the Central Government for providing **telecommunication**

services , establishing, operating, maintaining or expanding telecommunication networks or possessing radio equipment. Existing licenses shall remain valid for the period of their grant or for five years where the period is not specified.

- **Allocation of Spectrum:** Spectrum will be allocated by auction, except for specified uses, where it will be allocated on administrative basis. These include purposes like **national security and defence, disaster management, weather forecasting, transport, satellite services like DTH and satellite telephony and purposes like BSNL, MTNL and public broadcasting services.**
- **The Central Government can re-purpose or reallocate** any frequency range . The central government can also allow sharing, trading, leasing and surrender of spectrum.
- **Satellite Internet allocation:** The bill introduces provisions to allocate **spectrum to satellite internet providers like OneWeb (backed by Bharti) and US-based companies like SpaceX's Starlink.**
- Currently, active authorizations have been granted to **OneWeb and Jio** , paving the way for satellite-based Internet services.
- **Powers of interception and search:** Messages or a class of messages between two or more persons **can be intercepted, monitored or blocked on certain grounds .**
- Such actions must be necessary or expedient in the interest of public safety or public emergency and must also be in the interest of specified grounds, including the security of the State, prevention of incitement to crimes, incitement or threat of incitement of communal riots or ethnic violence by false news, etc. Involves arrangements to control crime or public law and order.
- **Telecom services can be suspended on this basis:** The Government may take temporary possession of any telecommunications infrastructure, networks or services in case of any public emergency or public safety.
- Any officer authorized by the Government may search premises or vehicles containing unauthorized telecommunications networks or equipment.
- **Powers to prescribe standards:** The Central Government can prescribe standards and evaluation for **telecommunication equipment, infrastructure, networks and services .**
- **Telecom Providers Easement Right of Way:** The Bill allows utility providers to seek **right-of-way/right-of-way on public or private property** for setting up telecommunication infrastructure .
- This should, as far as possible, provide access to information on a non-discriminatory and non-exclusive basis.
- **Priority transmission of messages during disaster:** During any public emergency, the Central or State Government may temporarily suspend any telecommunication service.
- The government may establish a system to guarantee that messages sent by authorized users are transmitted first for response and recovery.
- **New provision for media:** According to the new bill, messages of correspondents accredited by the Central or State Governments will not be stopped unless their broadcast is prohibited under the rules applicable to public emergency and public order.
- **3 years jail and fine of Rs 50 lakh for SIM card fraud:** **There** are strict provisions in the bill to stop issuing fake SIM cards. Any kind of SIM card fraud will attract a jail term of three years and a fine. Under the bill, there is a provision of up to three years in jail or a fine of up to Rs 50 lakh for selling, buying and using SIM cards. Biometric data will be taken to sell the SIM only after that the SIM will be issued.
- **Protection of privacy of consumers or users:** The Central Government may provide measures to protect the privacy of consumers or users including: **prior consent to receive specified messages such as advertising messages , creation of 'Do Not Disturb' registers and providing information to consumers about the privacy of** consumers or users. or establishing a mechanism

to allow users to report malware or specified messages.

- **Biometric authentication** should be mandatory for telecom customers to deal with spam calls and messages .
- Entities/companies providing telecom services will have to set up an online mechanism for registration and redressal of complaints.
- **Authority to Waive fees:** The Bill gives the government the power to waive entry fees, license fees, fines etc. in the interest of consumers.
- **Appointments to the Telecom Regulatory Authority of India (TRAI):** This Bill amends the **TRAI Act** to allow persons with at least **30 years** of professional experience to serve as Chairman/ Chairperson and to serve as members. Minimum of **25 years** of professional experience is allowed.
- **Digital India Fund: The Universal Service Obligation Fund** has been established under **the 1885 Act** to provide telecommunication services in deprived areas.
- This provision has been retained in this Bill, but **the name of the fund** has been changed to Digital India Fund and it also allows its use for research and development.
- **Regulation of OTT apps:** The Bill has **removed over-the-top (OTT) services and apps from the definition of telecommunication services , giving major relief to communication service providers like WhatsApp and Telegram .**
- **The Ministry of Electronics and Information Technology** will handle regulation of OTT apps under a potential Digital India Act, which is not included in the Telecom Bill.
- **Provision of Offences and Punishments under it:** The Bill specifies various criminal and civil offences. Providing telecommunication services without authorization or gaining unauthorized access to telecommunication networks or data is **punishable with imprisonment of up to three years, fine up to two crore rupees, or both.**
- Violation of the terms and conditions of the authority may impose a civil penalty of up to **Rs 5 crore.**
- Possession of unauthorized equipment or use of unauthorized network or service may **attract a fine of up to Rs 10 lakh .**
- **Procedure for appointment of officer to inquire into and adjudicate against civil offences:** The Central Government shall **appoint an adjudication officer to inquire into and pass orders against civil offenses under this Bill .**
- The officer should be of the rank of Joint Secretary and above.
- Appeals against the orders of the Adjudicating Officer can be made **before the designated Appeal Committee within 30 days .**
- Appeals against the orders of the Committee regarding violation of terms and conditions can be filed within 30 days in the Telecom Disputes Settlement and Appellate Tribunal (TDSAT).
- **Integrating the Trusted Source Mechanism:** A measure initially established following the India-China border conflict in 2020 to prevent import of telecommunications equipment from potentially adversarial countries has **now been integrated into this law .**

### Issues:

- **Decline in Average Revenue Per User (ARPU):** The decline in ARPU has been steadily accelerating, with declining profits and in some cases serious losses, leading the Indian telecom industry to seek consolidation as the only way to increase revenues.
- **Lack of telecom infrastructure in semi-rural and rural areas:** Service providers have to bear huge upfront fixed costs to enter semi-rural and rural areas.
- **Margin pressure due to competition:** With competition intensifying after the entry of Reliance Jio, other telcos are experiencing a sharp decline in tariff rates for both voice calls and data (more important for data customers).



## STATUS OF TELECOM SECTOR IN INDIA:

### Present situation:

- The telecom industry sector in India **is the second largest in the world with a user base of 1.179 billion (wireless + wireline users) by August 2023.**
- **The telecom industry sector is the fourth largest in terms of FDI inflows to India, contributing 6% to India's total FDI inflows in terms of FDI sector.**
- The total tele-density in India is **84.69%**. Tele-density refers to the number of telephones per 100 population and is a key indicator of access to telecommunications.
- The average monthly data consumption per wireless data user has also increased from **61.66 MB in March 2014 to 17.36 GB in March 2023.**

### Government Initiatives Launched by Government of India:

- The Department of Information Technology aims to set up more than 1 million internet-enabled Common Service Centers across India, as per the **National e-Governance Plan**.
- The FDI limit in the telecom sector has been increased from 74 per cent to 100 per cent of which 49 per cent will be through the automatic route, while the remaining will be through the Foreign Investment Facilitation Portal (FIPB) approval route.
- FDI up to 100 per cent is permitted for infrastructure providers offering dark fibre, electronic mail and voice-mail.
- **Prime Wi-Fi Access Network Interface (PM-WANI)**
- **BharatNet Project.**
- **Production Linked Incentive (PLI) Scheme for manufacturing of telecom and networking products.**
- **India 6G Alliance.**

### Concerns about the bill:

- Privacy Concerns: To curb fraud, it is mandatory for organizations to perform biometric authentication of their users. This increases users' privacy concerns.
- **Ambiguity in definition:** The new definition of 'telecommunication services' has been kept general and is open to wide interpretation.
- Specific reference to OTT communication services has been removed from the definition of 'telecommunication services'.
- **Network capture:** The bill empowers the government to take "temporary control/occupy" the network.
- According to experts, the government needs to define '**possession**' and specify how long the '**temporary tenure will last.**
- **Potential misuse of power:** The Bill empowers the Central and State governments to suspend communications during any public emergency or 'in the interest of public safety'. However, this power can also be misused by the government to prevent dissent.
- **Restrictive powers of TRAI:** The draft also has a provision to allow the appointment of private sector corporate executives to the role of TRAI Chairman.
- This change may limit the role of TRAI as no industry watchdog will have a neutral and independent perspective to promote progressive and positive developments in the telecom sector.
- **Spectrum Allocation:** There is difference of opinion among private telecom companies on this matter.
- During TRAI's consultation process in June this year, **Elon Musk's Starlink, Amazon's Project Kuiper**



and India's Tata Group opposed the allocation of satellite spectrum through auction. While Bharti Airtel and Reliance Jio supported the spectrum auction .

### **THE WAY FORWARD TO SOLVE THE PROBLEMS OF THE TELECOM SECTOR:**

- Given the vast opportunities in this sector, there is a need for an active and facilitative government role in the telecom sector.
- **The Telecom Regulatory Authority of India (TRAI)** , an independent and statutory body, should play an important role as a watchdog of this sector.
- A more proactive and timely dispute resolution by **TDSAT (Telecom Dispute Settlement and Appellate Tribunal)** is the need of the hour.
- The new regulatory act should contain relevant provisions on measures to ensure emergency situations, public safety and national security.
- Also the punishment should be proportionate to the violation, keeping this in mind there is a need to update the new law, bringing together the various provisions on penalties and offences.

### **Practice Questions for Preliminary Exam:**

Q. 1. Consider the following statements in the context of 'Telecom Bill 2023'.

1. It relates to amendments to the Telecom Regulatory Authority of India (TRAI) Act, 1997.
2. The telecommunications industry in India is the second largest industry in the world in terms of users.
3. Now under this bill itself, non-auction process will be adopted for allocation of satellite spectrum.
4. The Bill allows the Central Government to take over the telecommunication network in case of any public emergency or in the interest of public safety.

Which of the above statement/statements is correct?

Only 1, 3 and 4

only 2 and 4

All of these.

None of these.

**Answer - (c)**

### **Practice Questions for Main Exam:**

Q.1. Highlight the major provisions of the Telecom Bill 2023 and discuss whether it violates the 'Right to privacy of the Individual'? How does it promote digital inclusion and digital literacy in India? Give a logical explanation.