

A WORD OF ADVICE ON OTT AND THE DRAFT TELECOM BILL

Context:

- The article discusses the provisions of the draft Indian Telecommunication Bill, 2022 that was unveiled recently for public comments and the risks over inclusion of Over The Top or OTT (Communication Services) within its ambit.
- The draft bill seeks to replace the existing legal framework governing telecommunication in India, comprising the **Indian Telegraph Act, 1885**, the Wireless Telegraphy Act, 1933 and the Telegraph Wires (Unlawful Possession) Act, 1950.

Need for a new telecommunication law

- **Outdated framework:** The existing regulatory framework for the telecommunication sector is based on the Indian Telegraph Act, 1885.
 - The nature of telecommunication, its usage and technologies have undergone a massive change since the era of the "telegraph". The world also stopped using "telegraph" in 2013.
- **India's large digital ecosystem needs to be regulated:** With 117 crore subscribers, India is the world's second-largest telecommunication ecosystem. The telecommunication sector employs more than 4 million people and contributes about 8% of the country's GDP.
- **No consolidated framework:** This new bill aims to consolidate and amend the laws governing the provision, development, expansion and operation of telecommunication services, telecommunication networks and telecommunication infrastructure, and spectrum assignment.

Arguments against inclusion of OTT (Communication Services) in draft telecom bill

- **Pre-existing legislation:** The existing IT Act already covers OTT communication services, which can be regulated in terms of encryption, data storage, interception, etc.
- **Excessive state control:** The proposed Telecom Bill is based on the principle that providing telecom services is solely the responsibility of the government, except where private enterprises are permitted, licensed, or authorised.

- Similar principle operates in respect of content, which the Information and Broadcasting Ministry, Prasar Bharti and the Censor Board, regulate.
- **Impede digital economy:** The freedom granted to technology/applications and content enables and encourages creativity, innovation, new products etc.
- By subjecting them to licensing, it could stifle the entire socio-economic ecosystem, kill innovation and hinder the GDP growth.
- **Impact venture capital funding:** The inflow of venture capital funding to OTTs would be severely discouraged by inclusion under bill ambit.
- **Thin demarcation line:** It is hard to distinguish an OTT communication service from any other OTT platform because every OTT platform such as Flipkart, Ola, MakeMyTrip does incorporate an element of messaging.
- **Varied domains:** Same service means that a user should have autonomy to substitute telecom and OTT service with one another. However, no OTT provider can reach a customer without the intermediation and services of a telecom service provider, but the absence of OTT is no bar for a telcos to provide its services.
- Thus, OTT communication services fall in the domain of applications such as group and video communication, encryption, etc. and telcos are in the domain of carriage, thus donor fall in “same service” category.
- **Will handicap Indian service providers:** The Telecom Bill will impact only India-based OTT players as it is confined to domain carriage, i.e., geographical boundaries. But those operating from overseas would not be impacted, thus giving edge to foreign competitors.

Way ahead

- No other country has equated OTT communication services with basic telecommunications services.
- Therefore, instead of Including the OTT (Communication Services) in the draft Indian Telecommunication bill 2022, the Government needs to give a thought of including whatever controls are deemed necessary in the soon-to-be unveiled **Digital India Act**.

CRYPTOLOGY

Recently, The Centre for Development of Telematics (C-DOT),organised ‘National Workshop on Cryptology (NWC)’.



About:

- The workshop was conducted as part of the ‘Azadi Ka Amrit Mahotsav’ with the theme ‘Advancements in Cryptology for enhancing security & privacy in communication networks’.
- NWC 2022 aimed to bring all the relevant stakeholders on a common platform to deliberate upon various contemporary themes in the field of Cryptology spanning **Cyber Security, Quantum Computing, Post-Quantum Cryptography**
- Cryptography, or cryptology is the practice and study of techniques for secure communication in the presence of adversarial behavior.

Difference between Cryptography and Cryptology

- **Cryptography**
 - It is the study of **conversion of plain text(readable format) to ciphertext(non-readable format) i.e. encryption**. It is also called the study of encryption.
 - It takes place on the sender side.
 - In Cryptography, sender sends the message to receiver.
 - Cryptology is the parent of Cryptography.
- **Cryptology:**
 - It is the **study of the conversion of plain text to ciphertext and vice versa**. It is also called the study of **encryption and decryption**.
 - It takes place on the sender and receiver side.
 - In Cryptology, both sender and receiver send messages to each other.

[THE UNIQUE IDENTIFICATION AUTHORITY OF INDIA \(UIDAI\)](#)

The Unique Identification Authority of India (UIDAI) maintains that before accepting Aadhaar in physical or electronic form, as proof of identity, it must be verified.



About:

- The process prevents unscrupulous elements, and anti-social elements from indulging in any possible misuse. It also promotes usage hygiene, and reasserts UIDAI's stand that any 12-digit number is not an Aadhaar.
- Tampering of Aadhaar documents can be detected by offline verification, and tampering is a punishable offence and liable for penalties under **Section 35 of the Aadhaar Act**.

UIDAI

- It is a **statutory authority established under the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016** ("Aadhaar Act 2016").
- It was created to **issue Unique Identification numbers (UID)**, named as "Aadhaar", to all residents of India.
- Under the Aadhaar Act 2016, **UIDAI is responsible for Aadhaar enrolment and authentication**, including operation and management of all stages of Aadhaar life cycle and system for issuing Aadhaar numbers to individuals.
- **Composition of the Authority:**
 - UIDAI consists of a Chairperson, two part-time Members and the Chief Executive Officer (CEO), who is also the Member-Secretary of the Authority.
- **Finance & Budgets:**
 - The Finance & Accounts Division (FD) is headed by the Deputy Director General (Finance) who is Financial Advisor in UIDAI. FD renders professional advice to the CEO, UIDAI on all issues which have financial implications.

[COMING, A TOUGH LAW TO PREVENT CRUELTY TO ANIMALS. WHY IS IT NEEDED?](#)

In News:

- A draft **Prevention of Cruelty to Animals (Amendment) Bill, 2022**, prepared by the Ministry of Fisheries, Animal Husbandry, and Dairying, has been opened for public comments until December 7, 2022.
- Once the draft is final, the Bill could be brought either in the Winter Session or the Budget Session of Parliament.

Background:

- The Prevention of Cruelty to Animal Act, 1960 is one of the most comprehensive laws on the subject of animal welfare in India.
 - The Act was authored by acclaimed dancer and animal lover, **Rukmini Devi Arundale**.
- It is an Act of the Parliament passed in December 1960 with a vision to **prevent cruelties on animals**.
- The Act enshrines provisions for establishing the **Animal Welfare Board of India**, its powers, functions, constitution, and term of the office of members of the Board.

What is the need for amending the existing law?

- In September, a doctor in Rajasthan's Jodhpur allegedly tied a dog to his car and dragged it across the city. The dog had a fractured leg and suffered bruises.
- An offence such as this — fairly common in India — would currently attract charges under Section 428 (mischief by killing or maiming animal) IPC and Section 11 (treating animals cruelly) of The PCA Act, 1960.
 - First-time offenders under the PCA Act are punished with a fine of Rs 10-50.
 - If it is found that this is not the offender's first such crime in the past three years, the maximum punishment would be a fine between Rs 25 and Rs 100, a jail term of three months, or both.
- In short, the **penalty is very light in the law as it exists now, and is incapable of acting as any deterrent for potential offenders**.

Major amendments proposed in the Prevention of Cruelty to Animals (Amendment) Bill, 2022:

- Essentially, the law is proposed to be made tighter, with more stringent punishments.
- Several offences have been made cognizable, which means offenders can be arrested without an arrest warrant.
- The draft Bill has proposed to include “Bestiality” as a crime under the new category of “Gruesome cruelty”.
- The proposed law also says that “in case of a community animal, the local government such as municipality or panchayats shall be responsible for taking care of the community animals in a manner developed by the State Government or by the Board”.
- The draft defines “**community animal**” as “any animal born in a community for which no ownership has been claimed by any individual or an organization, excluding wild animals as defined under the wildlife Protection Act, 1972 (53 of 1972).”

[NEED TO REWRITE HISTORY TO FREE IT FROM DISTORTIONS, SAYS SHAH](#)

In News:

- Speaking during the 400th birth anniversary of **Lachit Barphukan**, the famed Ahom general and an icon of Assamese nationalism, the Union Home Minister emphasised the importance of rewriting India's history to remove distortions.

Lachit Barphukan:

- **About:**
 - Lachit Barphukan (1622 - 1672) was a commander and Borphukan (one of the 5 patra mantris (councillors) in the Ahom Kingdom), in the **Ahom kingdom**.
 - The Ahom kingdom was a late medieval kingdom in the Brahmaputra Valley in Assam.
 - It maintained its sovereignty for nearly 600 years having successfully resisted Mughal expansion in Northeast India.
 - He is well known for his leadership in the **1671 Battle of Saraighat**, which ended a prolonged attempt by Mughal forces to take over the Ahom kingdom, earning him the title ‘**Assam’s Shivaji**’.
- **Battles of Alaboi and Saraighat:**

○ **Background:**

- Between 1615 and 1682, the Mughal Empire made a series of attempts, **under Jahangir and then Aurangzeb**, to annex the Ahom kingdom.
- Between 1667 and 1682, the Ahoms under a series of rulers, starting with Chakradhwaj Singha, (reigned 1663-70) launched a **counter-offensive to reclaim lost territories**. This included the battles Lachit is remembered for.

○ **About the battles:**

- In 1669, **Aurangzeb** dispatched the **Rajput Raja Ram Singh I** to recapture territories won back by the Ahoms. As a result, the battle of Alaboi was fought in the Alaboi Hills near Dadara in North Guwahati.
- Despite relying on guerrilla warfare, Borphukan lost the Battle of Alaboi, in which 10,000 Ahoms lost their lives.
- Unlike in Alaboi, where he was forced to fight on land, Lachit in **Saraighat** drew the Mughals into a **naval battle**.
- In 1671, he won a decisive (ended a prolonged attempt by Mughals to take over the kingdom) battle against the mighty Mughal army of Aurangzeb (led by Ram Singh I) with a relatively smaller army, which became known as the '**Battle of Saraighat.**'

News Summary - Highlights of the event:

- The 400th birth anniversary of Lachit Barphukan unveils a **new episode of India's history** in which rulers in Assam defeated Muslim invaders in different ages and secured sovereignty of their motherland.
- From **Maharaja Prithu of Assam who defeated Bakhtiar Khilji** in 1206 to Lachit Barphukan who defeated Mughals in 1671, the stories of all the valorous heroes of Assam have been unveiled before the students of history to research and explore.
- According to the Home Minister, during the period when Lachit Barphukan raised his sword against the Mughals, **Chatrapati Shivaji** in the south of India, Guru Govind Singh in the north, and Veer Durgadas Rathore in Rajasthan waged the same struggle against the same enemy.
- **Lachit Barphukan** had not only protected the North East, but the entire South East Asia.

- To honour his contributions, the Lachit Barphukan award is still given to the top cadet at the National Defence Academy today.
 - Home minister said that the government is continuously **working towards reviving India's glorious history by removing distortions.**
 - A nation that takes pride in its magnificent past and draws inspiration from its heroes may build a brighter future for itself and its citizens.
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RED CROWNED ROOFED TURTLE (BATAGUR KACHUGA)

India's proposal for induction of fresh water turtle Batagur kachuga earned wide support at CoP 19 to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) being held at Panama City



About

- It is a **freshwater turtle species**, and found in deep flowing rivers with terrestrial nesting sites.
- **Distribution:**
 - It is native to **India, Bangladesh and Nepal**. Historically, the species was widespread in the Ganga River, both in India and Bangladesh.
 - It also occurs in the Brahmaputra basin. Currently in India, the **National Chambal River Gharial Sanctuary** is the only area with substantial population of the species.
- **Conservation Status:**
 - IUCN : **Critically Endangered**
 - IWPA : Schedule I
 - CITES : Appendix II
- **Characteristics:** In comparison to their female counterparts, the males are shorter and reach only half their length.
- **Major Threats:**

- Loss or degradation of habitat due to pollution and large scale development activities like water extraction for human consumption and irrigation and irregular flow from the upstream dams and reservoirs.
- Sand mining and growing of seasonal crops along Ganga River are majorly affecting the sandbars along the river that are used by the species for nesting.
- Drowning by illegal fishing nets.
- Poaching and illegal trade.

About CITES:

- CITES is an international agreement to which States and regional economic integration organizations adhere voluntarily.
- Although CITES is **legally binding on the Parties** – in other words they have to implement the Convention – **it does not take the place of national laws.**
- Rather it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level.

EXERCISE 'SAMANVAY 2022'

Indian Air Force is conducting the Annual Joint Humanitarian Assistance and Disaster Relief (HADR) Exercise 'Samanvay 2022' from 28 November 2022 to 30 November 2022 at Air Force Station Agra.



About

- It aims to **assess the efficacy of institutional Disaster Management structures** and contingency measures and involves static and flying displays of various HADR assets and a 'Table Top Exercise'.
- Samanvay 2022 will promote a synergistic approach towards HADR by various national and regional stakeholders involved in Disaster Management including the Civil Administration, the Armed Forces, NDMA, NIDM, NDRF, DRDO, BRO, IMD, NRS and INCOIS.

- It is expected to contribute in the **evolution of institutional frameworks for effective communication**, interoperability, cooperation and their application for successful conduct of HADR.
 - The exercise also aims to **provide a unique platform for exchange of domain knowledge, experience and best practices** with the participating ASEAN member countries.
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EXERCISE NASEEM AL BAHR - 2022

The Indian Navy's guided missile stealth frigate, INS Trikand, offshore patrol vessel, INS Sumitra, and Maritime Patrol Aircraft -Dornier, participated in the 13th Edition of the Indian Navy (IN) - Royal Navy of Oman (RNO) bilateral exercise 'Naseem Al Bahr' (Sea Breeze).



About:

- Ex-Naseem Al Bahr **initiated in 1993**, symbolises the long term strategic relationship between the two countries. This year marks **30 years of IN-RNO bilateral exercises**.
 - Oman is the first country in the Gulf Cooperation Council (GCC) which has been in conducting bilateral exercises with India jointly.
 - Both countries already have Memorandums of Understanding (MoUs) including on defence cooperation, between the Coast Guards to prevent crime at sea, on maritime issues and a protocol between their respective air forces on Flight Safety Information Exchange.
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