

# DAILY PT POINTERS

21 September, 2024



## The Hindu –Governance(GSII)-Page 1

# Bombay HC strikes down Centre's amended IT rules

The revised rules had empowered Centre to set up a fact check unit to identify 'fake' news; they violate right to equality and freedom of speech guaranteed by Constitution, says 'tie-breaker judge'

**Purnima Sah**  
MUMBAI

The Bombay High Court on Friday struck down the amended Information Technology Rules, 2023, which empowered the Centre to set up a fact check unit (FCU) to identify fake, false and misleading information about the government and its establishments on social media.

The "tie-breaker" judge, Justice Atul Sharachchandra Chandurkar, delivered the verdict on Friday after a Division Bench of Justices Gautam Patel and Neela Gokhale delivered a split verdict on January 31, 2024.

Justice Chandurkar said the Information Technology (Intermediary Guidelines and Digital Media Ethics

### Road to verdict

The fact check unit of Ministry of Electronics and IT has faced criticism since it was established on April 6, 2023. The case against the Centre's amendment has concluded after over a year. **Highlights:**

**April 10, 2023:** Satirist Kunal Kamra files a petition in Bombay HC against the amendments to the Act, calling them "arbitrary, violating fundamental rights of speech and expression and vague"; Editors Guild of India and the Internet Freedom Foundation join the plea later

parody and satire, observes Bombay HC

**Jan. 31, 2024:** Court delivers a split verdict with Justice Patel favouring the petitioners and Justice Gokhale upholding the amendment

**Feb. 8:** The case is placed before Justice Chandurkar

**March 21:** SC stays setting up of FCU to monitor social media content about the government

**April 24:** IT rules amendment does not seem to offer protection to



Justice Chandurkar

ics Code) Amendment Rules, 2023, violated Article 14 (right to equality), 19 (freedom of speech and expression) and 19(1)(g) (freedom and right to profession) of the Constitution.

The expression "fake, false and misleading" in the Rules was "vague and hence wrong" in the absence of any definition, he added.

so results in a chilling effect qua an intermediary," the judge said.

### Set up in 2023

In April 2023, the Ministry of Electronics and IT (MEiTY) established the FCU by amending the IT Rules, 2021.

Subsequently, political satirist and stand-up artist Kunal Kamra, the Editors Guild of India, the News Broadcasters and Digital Association and the Association of India Magazines (AIM) through the Internet Freedom Foundation filed a writ petition in the Bombay High Court against the IT Amendment Rules, 2023, calling them "arbitrary, violating fundamental rights of speech and expression and vague".

**CONTINUED ON**

- The Bombay High Court on Friday struck down the amended Information Technology Rules, 2023, which empowered the Centre to set up a fact check unit (FCU) to identify fake, false and misleading information about the government and its establishments on social media.
- Justice Chandurkar said the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023, violated Article 14 (right to equality), 19 (freedom of speech and expression) and 19(1)(g) (freedom and right to profession) of the Constitution".
- The expression "fake, false and misleading" in the Rules was "vague and hence wrong" in the absence of any definition, he added.

### Set up in 2023

- In April 2023, the Ministry of Electronics and IT (MEiTY) established the FCU by amending the IT Rules, 2021.

## The Hindu-Governance(GSII)-Page 8

### SC asks govt. to explain delay in the appointment of judges

Bench says the Collegium cannot be treated like a 'search committee' whose reiterations can be ignored or accepted at the govt.'s discretion; court seeks status of pending names in a week

Krishnadhas Rajagopal  
NEW DELHI

The Supreme Court on Friday asked the government to explain its reasons for sitting on names reiterated by the Collegium for months or even years together, reminding the Centre that it cannot treat the latter like a mere "search committee" whose recommendations can be ignored or accepted at the Union's discretion.

A three-judge Bench headed by Chief Justice of India D.Y. Chandrachud asked Attorney-General R. Venkataramani to place on record, within a week, a tabulated chart of every pending name reiterated by the Collegium, why they were still pending and at what level they were stuck in the machinery.

The Chief Justice said the intention of the court behind this exercise was not to "unearth skeletons in the cupboard but to move forward so that the business of governance proceeds".



Give us a chart showing the status of each one of the recommendations reiterated by the Collegium and what is the difficulty in making such appointments  
BY D.Y. CHANDRACHUD

chart showing the status of each one of the recommendations reiterated by the Supreme Court Collegium and what is the difficulty in making such appointments... The Supreme Court Collegium is not a search committee. It has a certain status in terms of the constitutional fabric... On the other hand, in the case of a search committee, there is an absolute discretion on whether to accept or not its recommendation," Chief Justice Chandrachud said.

The Second Judges case mandates that Collegium reiterations must be cleared for judicial appointment as a healthy convention. In a December 2022 order, the court had observed that ignoring or

returning names reiterated by the Collegium would amount to acting in breach of the Second Judges case, which had evolved the Collegium system of judicial appointments in 1993.

The brief hearing began with Mr. Venkataramani pressing for a week's adjournment, saying he would need more time to get "some responses" on some of the pending High Court appointments. The Chief Justice agreed, saying some appointments in the pipeline were "expected to be cleared" soon.

But senior advocate Kapil Sibal and advocate Amit Pal, for petitioners, raised the issue of several High Courts functioning with Acting Chief Justices for "months together".

Lawyer Prashant Bhushan said reiterated names must be appointed immediately. "There are a very large number of reiterations, including that of senior advocate Saurabh Kirpal... We have in our petitions pointed out 12 of them," he submitted.

Mr. Kirpal, who if appointed would be India's first openly gay High Court judge, was recommended by the Delhi High Court Collegium in October 2017. The Collegium recommended him for appointment as Delhi High Court judge in November 2021 and had reiterated his name in January 2023. The government had objected to his strong advocacy of gay rights.

Similarly, advocate John Sathyan was recommended by the Collegium for the Madras High Court Bench in 2022. The Collegium had reiterated his name in January 2023. Mr. Bhushan sought a direction that Collegium recommendations should be deemed to have been accepted if the government chooses not to respond within six weeks.

- The Three Judges cases saw the evolution of the collegium system. In the First Judges case, the court held that the consultation with the CJI should be "full and effective". The Second Judges case introduced the collegium system in 1993. It ruled that the CJI would have to consult a collegium of his two senior-most judges in the apex court on judicial appointments. The court held that such a "collective opinion" of the collegium would have primacy over the government. It was the Third Judges case in 1998, which was a Presidential reference, that expanded the judicial collegium to its present composition of the CJI and four of his senior-most judges.
- The collegium of the CJI and four senior-most judges of the Supreme Court make recommendations for appointments to the apex court and High Courts.

The Hindu-Science & Tech (GSIII)-Page10

## Indigenous heavy water reactor attains criticality

The Hindu Bureau

Unit 7 of the Rajasthan Atomic Power Project at Rawatbhata in Chittorgarh district achieved criticality, or the start of controlled fission chain reaction, on Thursday night, according to the Nuclear Power Corporation of India Ltd.

The Atomic Energy Regulatory Board had earlier cleared the reactor to make the first approach to criticality. The event was

- Unit 7 of the Rajasthan Atomic Power Project at Rawatbhata in Chittorgarh district achieved criticality, or the start of controlled fission chain reaction, on Thursday night, according to the Nuclear Power Corporation of India Ltd.
- The Atomic Energy Regulatory Board had earlier cleared the reactor to make the first approach to criticality. The event was recorded at 10.42 p.m.
- RAPP-7 is the third reactor to go critical in a series of 16 indigenous pressurised heavy water reactors (PHWRs) of 700 MW each the national nuclear establishment is setting up. The first two PHWRs to become critical before RAPP-7 were Units 3 and 4 of the Kakrapar Atomic Power Station in Gujarat, in 2020 and 2023, respectively.
- “Criticality for the first time on the project timeline marks the completion of construction phase and commencement of the operation phase,” NPCIL executive director (corporate communication & corporate planning) B.V.S. Sekhar said in a statement. “RAPP-7 is expected to start generation this year.”

## The Hindu-Environment(GSIII)-Page10

### Blockchain, smart materials, among innovative projects mooted in PM solar scheme

Jacob Koshy  
NEW DELHI

As part of the ₹75,000-crore PM Surya Ghar: Muft Bijli Yojana, the Ministry of New and Renewable Energy (MNRE) has announced a ₹500-crore sub-component for “Innovative Projects”, according to a draft notification from the Ministry.

Under this programme, companies and individuals can submit proposals, which will be perused by a committee, to execute novel ideas connected to rooftop solar installations.

Some examples of innovative projects envisioned include “...blockchain-based peer-to-peer RTS [Rooftop Solar], digital solutions for RTS, smart building materials, RTS with EV (electric vehicles), grid responsive RTS with battery storage solutions.



Every project is expected to be for a duration of 18 months.

DISCOM (Distribution Company) systems for RTS management”.

Every project is expected to be for a “maximum duration” of 18 months and the financial assistance for innovative projects would be capped at 60% of the total project cost, or a maximum of ₹30 crore. The National Institute for Solar Energy (NISE), a subsidiary of the Ministry, would im-

plement the scheme.

The PM Surya Ghar scheme was established on February 29, 2024 to increase the share of solar rooftop capacity and have residential households to generate their own electricity. The scheme has an outlay of ₹75,021 crore and is to be implemented till FY 2026-27.

Prime Minister Narendra Modi earlier this week said that 1.3 crore families had registered for the scheme since its launch, with 3.75 lakh homes having installed these connections since March.

The scheme provides subsidised RTS installation with a maximum of ₹78,000 per household. In a departure from previous schemes, those interested can apply to vendors of their choice online as well as avail of subsidised loans from banks for installation.

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- Under this programme, companies and individuals can submit proposals, which will be perused by a committee, to execute novel ideas connected to rooftop solar installations. Some examples of innovative projects envisioned include “...blockchain-based peer-to-peer RTS [Rooftop Solar], digital solutions for RTS, smart building materials, RTS with EV (electric vehicles), grid responsive RTS with battery storage solutions, DISCOM (Distribution Company) systems for RTS management”.

#### Do you know?

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## The Hindu-Health(GSII)



The two new drugs represent the first real chance to fight the disease after decades of research. ISTOCKIMAGE

## Two new drugs for Alzheimer's disease spark controversy

Agence France-Presse

PARIS

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- Alzheimer's disease is a brain disorder that slowly destroys memory and thinking skills, and eventually, the ability to carry out the simplest tasks. In most people with Alzheimer's, symptoms first appear later in life

# India formally joins International Big Cat Alliance

In April 2023, PM Narendra Modi had launched the IBCA with an aim to secure the future of big cats and their landscapes.

- India has formally joined the International Big Cat Alliance (IBCA), which it launched in 2023. After an approval from the Union Cabinet, India signed and ratified the framework
- Four nations, including India, Nicaragua, Eswatini and Somalia, have become the IBCA members now. In April 2023, PM Narendra Modi had launched the IBCA with an aim to secure the future of big cats and their landscapes.
- Among the seven big cats, five — tiger, lion, leopard, snow leopard and cheetah — are found in India, excluding puma and jaguar.

# HEADLINES OF THE DAY



## PIB-Science and Tech(GSIII)

Ministry of Communications

### India Achieves Tier 1 Status in Global Cybersecurity Index 2024

The stellar achievement reflects our unwavering commitment to global cybersecurity: Minister of Communications Shri Jyotiraditya M Scindia

With a remarkable score of 98.49 out of 100, India joins the ranks of 'role-modelling' countries

Posted On: 20 SEP 2024 4:50PM by PIB Delhi

- India has marked a significant milestone in its cybersecurity efforts by achieving top Tier i.e. Tier 1 status in the Global Cybersecurity Index (GCI) 2024, published by the International Telecommunication Union (ITU). With a remarkable score of 98.49 out of 100, India joins the ranks of 'role-modelling' countries, demonstrating a strong commitment to cybersecurity practices across the globe.
- The GCI 2024 assessed national efforts based on five pillars: legal, technical, organizational, capacity development, and cooperation. The comprehensive questionnaire includes 83 questions, covering 20 indicators, 64 sub-indicators, and 28 micro-indicators, ensuring a thorough evaluation of each country's cybersecurity landscape.



# HEADLINES OF THE DAY

## Air-Governance(GSII)

### Govt Announces IndiaAI Innovation Challenge Open



- The IndiaAI Independent Business Division, under the aegis of the Ministry of Electronics and Information Technology, has announced the IndiaAI Innovation Challenge.
- The challenge is part of the Applications Development Initiative within the IndiaAI Mission.
- The Ministry, in a statement, said the Innovation Challenge is open to Indian innovators, startups, non-profits, students, and academic and research and development organizations. The deadline for application submission for this challenge is the 30th of this month.
- The AI India Mission seeks to develop and adopt Artificial Intelligence (AI) applications in critical sectors. The innovation challenge aims to promote impactful AI solutions to enable socio-economic transformation. The focus areas of this challenge are healthcare, improved governance, agriculture, assistive technology for learning disabilities, and climate change and disaster management.