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1. Press and periodicals Bill 2023: Why it was brought in, differences from 1867 Act

Why in news?

After being passed in the Rajya Sabha on August 3 amid uproar from the Opposition, the Press and Registration of Periodicals Bill, 2023, was passed in the Lok Sabha on December 21.

Seeking to repeal the Press and Registration of Books Act, 1867, the Bill contains a unique provision disallowing persons convicted of terrorist acts or unlawful activities, or those who have acted against state security, from publishing periodicals. A periodical means any publication, barring books or journals, that is printed at regular intervals and contains public news or comments on public news.

Why was this Bill brought in?

According to the Bill's Statement of Objects & Reasons, it has been passed for three reasons. The first is "ease of doing business." Second, it intends to remove "unnecessary procedural obstacles" for publishers. Finally, it seeks to "unburden" the publishers and printing press owners from furnishing a declaration before the District Magistrate (DM) and filing a revised declaration every time there's a change in its particulars.

Introducing the Bill in the Lok Sabha, Minister for Information and Broadcasting Anurag Thakur said efforts have been made to decriminalise the colonial-era statute by replacing conviction with financial penalties for certain violations.

Stressing the ease of doing business aspect, he added that the title registration process, which sometimes took 2-3 years, will now be done in 60 days.

How is this Bill different from the 1867 Act?

Books: The 1867 Act was enacted for the regulation of printing presses and newspapers, the preservation of copies of books and newspapers printed in India, and their registration. However, the 2023 Bill removes books from its ambit as they are under the HRD Ministry.

Penalties: The 2023 Bill seeks to decriminalise the colonial-era statute by replacing jail terms with fines, and providing for an appellate mechanism headed by the Chairman of the Press Council of India. The Appellate Board (Press and Registration Appellate Board) will comprise, alongside the PCI chairman, two PCI members and hear appeals against refusal of registration, imposition of penalties, suspension, or cancellation of registration.

The 1867 law included up to six-months imprisonment for offences like keeping a press without declaration, making false statements, and violating printing or publishing requirements under Section 3. The new law has replaced all such penal provisions with fines, barring one. Section 14(4) allows six-month imprisonment for anyone failing to cease publication even after six months of the issuance of directions or those publishing without a certificate of registration.

The upper limit of fines has been hiked considerably — from Rs 2,000 to Rs 5 lakh.

Shift in power: The new Bill shifts all the power from the DM's hands to the Press Registrar General, a newly created position. Although the 1867 Act included a "Press Registrar" or a "Registrar of newspapers for India" appointed by the Centre, its powers were limited, unlike the PRG's under the new law.

Sections 5 and 6 of the Bill delineate the PRG's functions and powers, respectively. The PRG is entrusted with tasks like issuing certificates of registration to periodicals, maintaining records of registered periodicals, collecting application fees, and disbursing the Centre's funds for the Act's implementation, among others.

What is the process of declarations and registration?

The 1867 Act mandated a declaration specifying the printer or publisher be made to the DM, who then sent it to the Press Registrar, who issued a certificate of registration necessary for publication.

The process was deemed "time-consuming" and "onerous" under the new Bill. Notably, publishers will no longer be required to file a declaration with the DM or the local authorities. Meanwhile, printing presses can simply give an online "intimation" instead of filing a declaration.

Another key change is that publishers and printers would not have to file separate applications as the Bill allows processing of the title allotment and registration applications simultaneously.

Once a registration application is filed, the "specified authority" must furnish its no-objection or comments on the application within 60 days before making an application to the PRG, who eventually decides the grant of registration.

Notably, this requirement for such authority's no-objection has been removed for registration of periodicals proposed to be published by the government.

What is the UAPA provision?

The proviso to Section 4 states that any person who has been convicted of a "terrorist act" or "unlawful activity" or has acted against the security of the state will not be allowed to publish a periodical. "Terrorist act" and "unlawful activity" shall have the same meaning assigned to them in clauses (k) and (o) of Section 2(1) of the Unlawful Activities (Prevention) Act, 1967.

While the former refers to any act done "with intent to threaten or likely to threaten the unity, integrity, security, economic security, or sovereignty of India or with intent to strike terror or likely to strike terror among people", the latter refers to any action by individuals or associations supporting any claim for secession, separatism, disruption of sovereignty or integrity, among others.

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Indian Express

2. Qatar commutes 8 former Indian Navy men's death sentence: What has happened, why it matters for India

Introduction

An appellate court in Qatar has commuted the death sentence handed out to eight former Indian Navy officers earlier this year, allegedly over charges of espionage.

In October this year, a Qatari court sentenced the men to death, following which the MEA said it was "exploring all legal options". What was the case about, and why is this commuting of charges significant for India?

Who are the eight former Navy men in Qatar?

Eight former Indian Navy personnel — Captain Navtej Singh Gill, Captain Saurabh Vasisht, Commander Purnendu Tiwari, Captain Birendra Kumar Verma, Commander Sugunakar Pakala, Commander Sanjeev Gupta, Commander Amit Nagpal and Sailor Ragesh — were working in Qatar at Al Dahra Global Technologies and Consultancy Services, a defence services provider company.

Of them, Commander Sugunakar Pakala (Retd) served as an engineering officer in the Navy, holding the unique record of crossing the equator twice aboard INS Tarangini, a 500-tonne sailship. A decorated officer, he received a commendation from the commander-in-chief (C-in-C).

Another one of the men, Managing Director Commander Purnendu Tiwari (retd), was recognised in 2019 by the Indian government with the Pravasi Bharatiya Samman award. The prize recognises the contributions of Indian-origin people living abroad, and the MEA website lists Tiwari's field as 'Training and Simulation'.

Al Dahra Global Technologies and Consultancy Services's previous website said it provided training, logistics and maintenance services to the Qatari Emiri Naval Force (QENF). As per the new website, the company was called Dahra Global and there was no mention of the connection to the QENF. It also did not mention that most of the Indian officers had leadership roles. They had been working here for four to six years when the Qatari intelligence agency State Security Bureau's officials arrested them.

What were the charges against the men?

The men were arrested in August 2022. At the time, MEA spokesman Arindam Bagchi said that questions of charges of arrest "should be directed to the Qatari authorities". The family members and MEA officials also said that Qatar had not informed them of the charges.

Sources said the Indians had been working in their private capacity with Dahra Global to oversee the induction of Italian small stealth submarines U212. According to a report in the Financial Times at the time of the death sentences being announced, "A person briefed on the case confirmed... that the eight Indians had been charged with spying for Israel."

The men met India's Ambassador in Doha in October 2022 and received limited access to relatives via phone calls. It was later learnt that they were undergoing solitary punishment.

In March 2023, the last of multiple bail pleas filed for the veterans was rejected. The trial began later that month and on October 26, the death sentence was handed. External Affairs Minister S Jaishankar then met the family members of the sentenced men.

In November, the MEA announced it had filed an appeal and that its legal team had details of the charges. The Indian ambassador in Doha also met them in prison on December 3. This consular access came days after Prime Minister Narendra Modi met Qatar's Emir Sheikh Tamim bin Hamad Al-Thani on the sidelines of the COP28 summit in Dubai on December 1.

What avenues have been available to India?

One has been the legal challenge, which has been admitted and helped reduce the sentence for now as a first step. At the same time, India has been employing diplomatic channels to reach out to the Qataris.

The families also filed a mercy plea with the Emir of Qatar, who is known to give out pardons during Ramadan and Eid. This was also being pursued by the Indian government's help.

Given the confidential nature of the case, and that the accused are former Indian defence personnel, India needed to secure a breakthrough. Further, Qatar is an important partner of India and the two countries enjoy a deep relationship. Qatar has around 8 lakh Indian migrants, who send remittances back home. In FY 2021-22, it sent the eighth-highest amount of remittances among all countries.

Apart from people-to-people ties, there are deep economic and defence links. India's total imports from Qatar in FY2022-23 were valued at \$16.81 billion, of which LNG imports alone were worth \$8.32 billion, or 49.5%, an analysis of official trade data shows.

The first big challenge to the relationship came in June 2022 over BJP spokesperson Nupur Sharma's derogatory references to the Prophet on a TV show, as the Qatari government demanded a public apology from India. In this context, India needed another source of tension in the ties to be diffused.

Relevance: GS Prelims & Mains Paper II; Bilateral Relations

Source: Indian Express

3. Is Pegasus spyware targeting journalists in India?

Introduction

The Washington Post and Amnesty International report claims that Pegasus spyware targeted journalists in India, including Siddharth Varadarajan of The Wire and Anand Mangnale of South Asia editor of the Organised Crime and Corruption Report Project (OCCRP). The intrusion was detected in October 2023 after Apple warned users, including MPs, of potential 'state-sponsored attacks' on their iPhones.

What has Amnesty International alleged?

After Apple issued a security notification to certain iPhone users, including MPs, in October, researchers at Amnesty International's Security Lab analysed the allegedly infected devices, including those belonging to Mr. Varadarajan and Mr. Mangnale. At the end of their examination, they reported finding traces of Pegasus's activity on their respective devices. Security Lab concluded that a message to facilitate a "zero-click exploit" had been sent to Mr. Mangnale's phone over his iPhone's iMessage app.

What is a zero-click exploit?

A zero-click exploit refers to malicious software that allows spyware to be installed on a device without the device owner's consent. More importantly, it doesn't require the device owner to perform any actions to initiate or complete the installation.

The specific exploit allegedly in use on the two devices is called BLASTPAST (previously identified as BLASTPASS). It plays out in two phases. In the first, the attack attempts to establish a link with the Apple HomeKit – which gives users a way to control multiple smart devices – on the target's device. In the second, some malicious content is sent via the iMessage app to the target. According to Amnesty, the purpose of the first phase – the 'outreach' – could be to determine how the device can be exploited or to keep it in sight for further exploitation in the future. The second phase is the one that delivers the full spyware "payload".

What has happened?

In the wake of the 'Pegasus Project' revelations, activists filed several petitions with the Supreme Court alleging a mass surveillance exercise by the government to muzzle free speech and democratic dissent. In response, the top court asked the Centre to file a detailed affidavit vis-a-vis its use of Pegasus. The Centre refused to comply, however, contending that such a public affidavit would compromise the country's national security.

Relevance: GS Prelims; S & T

Source: The Hindu