## The Hindu News Analysis – 19th December 2019 – Shankar IAS Academy

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* C – Chennai; B – Bengaluru; D – Delhi; H – Hyderabad; T – Thiruvananthapuram;
A duty to publish
Limited RTI response based on records is the right of the applicants to ensure a chilling effect on the right to information. It is the right to information that needs to be balanced with other rights.

Chief Justice H. L. Dass recently observed that the RTI Act was being abused, and spoke about the requirement of the same being "unsolicited." He argued for filtering requests based on specific issues. Data show that the highest number of RTIs are filed in Maharastra and, in other states, bureaucracy is due to the lack of level of voluntary dissemination by public authorities and because of Information Commission vacancies. By Vignesh Rathinamanthan

Acting on the RTI

1. High volume State

Graph shows the average number of RTIs filed per year and the absolute number of appeals/complaints filed between 2003 and 2016.

2. Poor disclosures


3. Vacancies

Also, not filling up vacancies on time has led to the filing of a public interest case:


4. Rejection rate

Graph shows RTI rejections as a % of total requests.

PAPER-V

General Studies- IV: Ethics, Integrity and Aptitude

- Public/Civil service values and Ethics in Public administration: Status and problems; ethical concerns and dilemmas in government and private institutions; laws, rules, regulations and conscience as sources of ethical guidance; accountability and ethical governance; strengthening of ethical and moral values in governance; ethical issues in international relations and funding; corporate governance.

- Probiety in Governance: Concept of public service; Philosophical basis of governance and probity; Information sharing and transparency in government.

To Right Information, Codes of Ethics, Codes of Conduct, Citizen's Charters, Work culture, Quality of service delivery, Utilization of public funds, challenges of corruption.
**RTI Act 2005**

- To provide Right To Information
- Ensures securing of access to information under the control of public authorities
- To promote transparency and accountability
- Public authority

(h) "public authority" means any authority or body or institution of self-government established or constituted—
(a) by or under the Constitution;
(b) by any other law made by Parliament;
(c) by any other law made by State Legislature;
(d) by notification issued or order made by the appropriate Government, and includes any—
(i) body owned, controlled or substantially financed;
(ii) non-Government organisation substantially financed,

**Statement by CJI**
"lay down guidelines on use of Act... misuse of law created sense of paralysis and fear in Govt. and officials are afraid to take decisions... Queries have no locus standi"

**Author’s View**
- RTI Act explicitly rejects the need for locus standi - Section 6(2)

(2) An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.

**Reasons**
- Otherwise public authorities could choose to deny information on subjective grounds
- Otherwise it will provide ground to reject the application

⇒ Currently application can be rejected
  * Under Sec 8(1) and Sec 9 of the Act
  * Application fee not paid
  * Sought data is not 'information'
  * Does not apply to particular organisation
  * Organisation is not a public authority

**If locus standi made compulsory → another ground for rejection**

- Rejecting application → % came down last year only
  ↓ 4.7% in 2018-19
  lowest so far

**4. Rejection rate** | By increasing disclosures and filling vacancies, the RTI load can be eased. But, if the locus standi of applicants is made a criteria, the rejection rate, which has steadily declined over time, will rise significantly

<table>
<thead>
<tr>
<th>Year</th>
<th>Rejection Rate</th>
</tr>
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<tbody>
<tr>
<td>2005-06</td>
<td>13.9%</td>
</tr>
<tr>
<td>2011-12</td>
<td>9.8%</td>
</tr>
<tr>
<td>2018-19</td>
<td>4.7%</td>
</tr>
</tbody>
</table>
Pro-active and voluntary dissemination of information under Section 4 of the Act

→ Not followed by many authorities

Transparency Audit

2. Poor disclosures | RTI act mandates Public Authorities (PA) to suo motu disclose information. Such disclosures will decrease citizen requests as they will not seek information already available. A transparency audit by the govt. found poor levels of such disclosures among 2092 central PAs. In fact, nearly 60% of the PAs did not respond to the audit.

For instance, 515 PAs got the poorest grade for voluntary disclosure and 292 PAs got the poorest grade in overall performance.

<table>
<thead>
<tr>
<th>Grade achieved in the audit</th>
<th>For voluntary disclosure</th>
<th>Overall performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (90-100%)</td>
<td>217</td>
<td>158</td>
</tr>
<tr>
<td>B (80-89%)</td>
<td>5</td>
<td>157</td>
</tr>
<tr>
<td>C (70-79%)</td>
<td>91</td>
<td>118</td>
</tr>
<tr>
<td>D (60-69%)</td>
<td>10</td>
<td>113</td>
</tr>
<tr>
<td>E (&lt;60%)</td>
<td>515</td>
<td>292</td>
</tr>
<tr>
<td>No response</td>
<td>-</td>
<td>1,254</td>
</tr>
</tbody>
</table>

Solution → Advise public authorities to provide greater voluntary dissemination on Govt portals

Ex: Rajasthan Govt. → Jan Soochna Portal

Vacancies in State and Central Information Commission

Supreme Court → asked Centre and States to expedite the process of filling.
Goa relieved after MoEF’s decision on Mahadayi project

Ministry keeps in abeyance letter to Karnataka giving nod

PRESS TRUST OF INDIA (PTI)

In a surprise move, the Ministry of Environment, Forest and Climate Change (MoEF) on Wednesday kept in abeyance its letter written to Karnataka state informing the government that its proposed Kalasa-Banduri project on Mahadayi river does not need an environmental clearance (EC).

The MoEF’s move comes after Goa Chief Minister Pramod Sawant, who is in New Delhi to attend the GST Council meeting, met Environment Minister Prakash Javadekar on Wednesday, seeking withdrawal of the letter.

Soon after the meeting, the MoEF wrote to Chief Engineer, Karnataka Neeravari Nigam Limited, informing that it was keeping in abeyance the letter written on October 7, 2019. The Kalasa-Banduri project is aimed at providing drinking water to three important districts of north Karnataka - Belagavi, Gulbarga and Dharwad - which go parched in summer due to acute water scarcity.

Diversions of water

The project involves diverting water from Mahadayi river, the hillock of Goa, into the Kalasa-Banduri river. However, the Goa government had strongly objected to the MoEF’s October letter and demanded that it be either withdrawn or kept in abeyance.

On Wednesday, MoEF’s Deputy Director Mohit Saini wrote to Karnataka that based on the facts made available subsequently to the Ministry, it is observed that applications for clarification of the award of the Mahadayi Water Dispute Tribunal dated August 14, 2018 filed by the governments of Goa and Karnataka are still pending.

“The award has also been challenged by Goa, Karnataka and Maharashtra before the Supreme Court, the letter reads. “Pending resolution of all these cases, the letter issued earlier by this Ministry is hereby kept in abeyance,” it said.

Opposition’s demand

However, Opposition parties in Goa sought complete withdrawal of the MoEF’s October letter to Karnataka. Leader of the Opposition is the Goa Assembly, Digambar Kamat, said the letter should not be merely kept in abeyance, but “withdrawn.”

Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.
- Indian and World Geography - Physical, Social, Economic Geography of India and the World.
- Indian Polity and Governance - Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER-II

General Studies-I: Indian Heritage and Culture, History and Geography of the World and Society.

- Salient features of world’s physical geography.

PAPER-III

General Studies-II: Governance, Constitution, Polity, Social Justice and International relations.

- Statutory, regulatory and various quasi-judicial bodies.

- Mahadayi/Mandovi River:
  - Origin: Western Ghats, Belagavi, Karnataka, Maharashtra
  - Drains into Arabian Sea
  - Dudhsagar Falls
  - Catchment area in 3 states - Goa, Karnataka, Maharashtra

- Malaprabha River
  - Tributary of Krishna
  - In Karnataka

- Kalasa - Banduri Project by Karnataka
  - To transfer water from Mahadayi to Malaprabha
  - Opposed by Goa

- Mahadayi Water Dispute Tribunal (MWDT)
  - formed in 2010
  - Parties: Goa, Karnataka, Maharashtra

- Earlier Union Environment Ministry granted approval to Kalasa - Banduri project
  - The order is kept in abeyance.
Part A—Preliminary Examination

Paper I—(200 marks)

- Current events of national and international importance.
- Indian Polity and Governance—Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER-III

General Studies- II: Governance, Constitution, Polity, Social Justice and International relations.

- Statutory, regulatory and various quasi-judicial bodies.
- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

PAPER-V

General Studies- IV: Ethics, Integrity and Aptitude

- Probitity in Governance: Concept of public service; Philosophical basis of governance and probity; Information sharing and transparency in government, Right to Information, Codes of Ethics, Codes of Conduct, Citizen’s Charters, Work culture, Quality of service delivery, Utilization of public funds, challenges of corruption.
<table>
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<tr>
<th>NCLAT Judgment on Mistry Vs Tata Sons case</th>
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<tbody>
<tr>
<td><strong>Timeline:</strong></td>
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<tr>
<td>1. Tata Sons - majority stakeholder in Tata Group</td>
</tr>
<tr>
<td>2. 2016 - Cyrus Mistry was ousted from the post of chairman</td>
</tr>
<tr>
<td>3. Tata Sons became public to private</td>
</tr>
<tr>
<td>4. Matters taken to NCLT - rejected claims</td>
</tr>
<tr>
<td>5. NCLAT - restore Mistry</td>
</tr>
<tr>
<td>6. Conversion of public to private is illegal</td>
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</tbody>
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<table>
<thead>
<tr>
<th>NCLT:</th>
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<tbody>
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<td>1. Section 408 of the Companies Act, 2013</td>
</tr>
<tr>
<td>2. Adjudication of corporate civil disputes under</td>
</tr>
<tr>
<td>- Companies Act, 2013</td>
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<tr>
<td>- IBC - 2016</td>
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<tr>
<td>3. Judicial + Technical members</td>
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<th>NCLAT:</th>
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<td>1. Section 410 of the Companies Act, 2013</td>
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<tr>
<td>2. To hear appeals against NCLT</td>
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<tr>
<td>3. Also hear appeals against Competition Commission of India</td>
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<table>
<thead>
<tr>
<th>Registrar of Companies (RoC):</th>
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<tr>
<td>1. Section 609 of the Companies Act</td>
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<tr>
<td>2. To register companies and ensure that they comply with laws</td>
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</tbody>
</table>

| 2017: Tata Sons received shareholders’ assent to make them private limited. |
| 1. NCLT - It is prejudicial and oppressive to minority stakeholders |
| 2. Other steps to ensure Minority’s interests |
| 1. Majority should consult minority while making appointments of Executive Chairman, Directors, etc |
| 2. Barred Tata Sons from using a contentious Article in their ‘Articles of Association’ |
| 3. Judgment put Tata Groups in uncertainty |
Now, farmers use drones to spray pesticide

Drones to the aid of farmers in overcoming labour shortage

P. Keshav

To surmount the shortage of farm labour and rising labour charges, some progressive farmers are trying to harness the drone technology to find a lasting solution to their recurring problems in every cropping season.

Narayana Leni of Preddutur village in Chittur mandal was among several farmers of the mandal, who hired a drone to spray pesticide in their fields to protect their standing maize and redgram crops from pests.

Mr. Leni, who holds a Bachelor's Degree in Arts, Leni using a drone for spraying pesticides. engaged a hired drone from one Sai Kiran, a trained drone pilot of Katampalli, for pesticide spraying.

The skilled drone pilot executed the task almost effortlessly in less than an hour in Preddutur on Tuesday, sources said.

Enthused by the accurate spraying of pesticide in quick time, several other farmers followed suit and utilised the drone services by paying the hire charges of 8500 per acre the same day.

As the news spread, a few tech-savvy farmers of Vandalur village in the same mandal hired the drone for pesticide spraying in their village.

"We have gained first hand knowledge about the manifold advantages of using drone in spraying pesticides," says Mr. Leni.

Our village is known for farmers endowed with progressive ideas and scientific bent of mind, he says, adding that the drone hired by him completed the pesticide spraying in his two-acre maize field with precision, saving time and labour cost significantly.

No pesticide exposure

The drone technology has the potential to not only reduce the quantity of pesticide used for the purpose manually, but also saves farmers from pesticide exposure, he remarks.

The government should promote application of drone technology for agriculture purposes through Krishi Vigyan Kendras (KVKs) to enable farmers harness the technology optimally at a subsidised cost, suggested a farmer of Vandalur.

A field demonstration of drone sprayer was conducted in Preddutur village to highlight the efficacy of ultra low volume spraying of pesticide using drone having multilocation advantages, said P. Nagiah, Mandal Agricultural Officer, Chittur.

"We have used a drone specially designed for pesticide spraying without cameras to educate farmers about the application of drones for a wide range of agriculture purposes apart from protection of crops from groundnut to coconut," says Mr. Sai Kiran, the trained drone operator.

PAPER I - (200 marks)

- Current events of national and international importance.
- Indian Polity and Governance-Congress, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.
- Economic and Social Development-Sustainable Development, Poverty, Inclusion, Demographics, Social Sector Initiatives, etc.
- General Science.

PAPER III

General Studies-II: Governance, Constitution, Policy, Social Justice and International relations.

- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.
- Development processes and the development industry — the role of NGOs, SHGs, various groups and associations, donors, charities, institutional and other stakeholders.
- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes mechanisms, laws, institutions and bodies constituting for the protection and betterment of these vulnerable sections.
- Issues relating to development and management of Social Security Services relating to Health, Education, Human Resources.

PAPER IV


- Issues related to direct and indirect farm subsidies and minimum support prices; Public Distribution System—objectives, functioning, limitations, revamping; issues of buffer stocks and food security; Technology mission; economies of animal rearing.
- Science and Technology— developments and their applications and effects in everyday life.
### Krishi Vigyan Kendras [Contd.]
- ICAR Standing Committee on Agricultural Education, 1973 → KVKS are 
  - of national importance
  - to accelerate agri production
  - to improve socio-economic conditions of farmers
- First KVK → Puducherry (1974)
- 100% financed by govt. of India
- Sanctioned to Agri Universities, ICAR Institutes, related govt. depts., and NGOs.

### Integral part of National Agricultural Research System (NARS)
- Mandate → Technology Assessment and Demonstration for its Application and Capacity Development

### Unique features
- Creates valuable resources - technical manpower & assets
- Confirmation of technology to suit local specificity
- Showcases frontier technologies
- Capacity building among stakeholders

### Unique features [Cont’d.]
- Front runner - technological applications, information and inputs
- Participatory approach
- Produces quality technological products and make it available to farmers
- Identify and document select farm innovations
Practice Question – Prelims
Q1. Consider the following statements with reference to Krishi Vigyan Kendras (KVK).

1. It was set up based on the recommendation of Sarkariya Commission.
2. It was first established in Puducherry.
3. It is financed on a 50-50 basis by Union Government and private companies working in agriculture.
4. Its mandate is technology assessment and demonstration for its application and capacity development.

Which among the above statements is/are incorrect?

a) None of the above.
b) 1, 3 and 4
c) 2 and 4 only
d) 1 and 3 only

Practice Question – Prelims
Q2. Consider the following states.

1. Tamil Nadu
2. Karnataka
3. Gujarat
4. Maharashtra
5. Goa

Which of the above states are parties to the Mahadayi Water Disputes Tribunal?

a) 1, 2 and 4 only
b) 2, 3 and 4 only
c) 3, 4 and 5 only
d) 2, 4 and 5 only
Practice Question – Prelims

Q3. Consider the following statements.

1. The National Company Law Appellate Tribunal (NCLAT) is a constitutional body.
2. NCLAT is the Appellate Tribunal to hear and dispose appeals against any order on awarding compensation passed by the Competition Commission of India.
3. The aggrieved party can appeal against the judgement of NCLAT in the Supreme Court.

Which of the above statement(s) is/are correct?

a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

Practice Question – Prelims

Q4. In the context of Drones, which of the following tasks is/are accomplished by drones?

1. Commercial aerial surveillance
2. For carrying out disaster relief activities
3. In agriculture for spraying pesticides
4. Motion picture filmmaking

Select the correct answer using the code given below.

a) 1 and 4 only
b) 1, 3 and 4
c) 3 only
d) All the above

Practice Question – Mains

GS-II

Q. “There is a need for laying down guidelines on the use of the Right to Information Act, 2005 because the queries posed by people who had no locus standi in the matter regarding the queries”. In the light of the above statement discuss the problems related to providing reasons for requesting the information under the act. (10 marks, 150 words)

Practice Question – Prelims

Answers

Q1. Option ‘d’ – 1 and 3 only
Q2. Option ‘d’ - 2, 4 and 5 only
Q3. Option ‘b’ - 2 and 3 only
Q4. Option ‘d’ - All the above
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