

The Hindu Important News Articles & Editorial For UPSC CSE

Friday, 21 March, 2025

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The Union Ministry of Mines has assured that the proposed offshore mining project off the Kerala coast will begin only after conducting a comprehensive environmental impact assessment and stakeholder consultations.

Centre promises consultations, impact study for mining project off Kerala coast

Ministry of Mines says it is open to evaluating and implementing specific measures, similar to the annual trawling ban, to mitigate the environmental impact on marine ecosystems; the project will contribute to the State's GDP growth by creating a new revenue stream, says spokesperson

Navamy Sudhish
KOLLAM

The offshore mining project off the Kerala coast will begin only after releasing a full environmental impact assessment (EIA) and conducting transparent, inclusive consultations with affected communities, an official spokesperson of the Union Ministry of Mines told *The Hindu* on Wednesday.

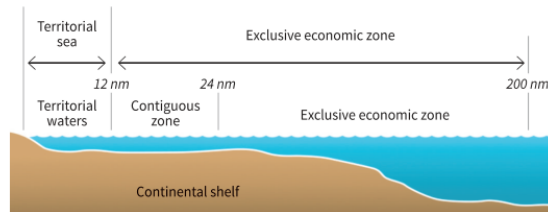
The EIA will be in public domain and undergo stakeholder consultations in compliance with Sub-rule 2(j) under Rule 15 of the Offshore Areas Mineral Conservation and Development Rules (OAMCDR), 2024, he said.

"The production plan will include a detailed environmental management plan (EMP). This plan will provide essential baseline environmental data, conduct an impact assessment, and outline appropriate mitigation measures. The EMP will be subject to approval by the Indian Bureau of Mines (IBM) to ensure adherence to regulatory standards. The Ministry is also preparing a standard operating procedure (SOP) for further EIA studies, similar to what has been prepared by the Ministry of Petroleum and Natural Gas," he said.

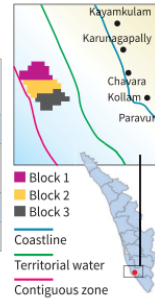
Offshore Mineral Blocks

Generated by Geological Survey of India

	Kollam Block 1 79 sq km	Kollam Block 2 78 sq km	Kollam Block 3 85 sq km
Number of standard blocks	23	23	25
Resource Construction sand	100.33 million tonnes	100.64 million tonnes	101.45 million tonnes
Distance from the shore	33 km	30 km	27 km
Water depth	53.3 to 62.5 m	48.4 to 61.4 m	49.3 to 59 m



Source: Ministry of Mines' notice inviting tender (on November 28 2024) for grant of composite licence for 13 offshore mineral blocks under Tranche I



The Offshore Areas Mineral (Development and Regulation) Act, 2002 and the rules made thereunder are applicable to mineral resources in the territorial waters, continental shelf, exclusive economic zone and other maritime zones of India.

three blocks under Tranche 1 off the Kerala coast are located in Quilon Bank, a fishing hub and biodiversity hotspot.

Main issue raised

When bids were invited to auction offshore mineral blocks, the main issue raised by fishers and marine scientists was that the

guarding of human life and property, including marine life.

"As per the information available, Kollam Parappu, or Quilon Bank, is between a water depth of 275-375 m, which is nearly 70 km away from the coast, while the offshore sand blocks are nearly 35 km away from the Quilon Bank at depths ranging from approximately 48

to private parties as part of the project, its impact on the operations and future of public sector undertakings (PSUs), including the Kerala Minerals and Metals Ltd. (KMML), Indian Rare Earths Ltd. (IREL) and Travancore Titanium Products Ltd (TTPL), is another major concern.



Kollam Parappu, or Quilon Bank, is between a water depth of 275-375 m, which is nearly 70 km away from the coast, while the offshore sand blocks are nearly 35 km away from the Quilon Bank at depths ranging from approximately 48 m to 63 m

UNION MINISTRY OF MINES

"All the three PSUs are engaged in the mining of beach sand minerals (BSM). The BSM has not been delisted from the list of atomic minerals and continues to be mined only by government mining companies. Therefore, the operations of these PSUs will not be affected," he said.

The spokesperson said the project will contribute to the State's GDP growth by creating a new revenue stream through royalties and auction proceeds.

On PSUs

The auction process for the first tranche of mineral blocks is currently under way.

The official announcement of technically qualified bidders, as per the revised timeline, is scheduled to take place from May 30 to June 13.

- ➔ The project is expected to boost Kerala's economy and generate revenue, but it has raised concerns regarding its environmental impact and effects on local livelihoods.

Key Aspects of the Issue

Environmental Concerns and Mitigation Measures

- The proposed mining area is near Quilon Bank, a significant biodiversity hotspot and fishing ground. Fisher groups and marine scientists are concerned that mining operations could disrupt marine ecosystems and fish stocks.
- The government has stated that the project will include an environmental management plan, which will be reviewed by the Indian Bureau of Mines. Measures similar to the annual trawling ban may also be considered to reduce environmental damage.

Regulatory Framework

- The environmental impact assessment will comply with the Offshore Areas Mineral Conservation and Development Rules, 2024. The Ministry of Mines is also developing a standard operating procedure for environmental impact studies, similar to those used by the Ministry of Petroleum and Natural Gas.
- The central government has the authority to enforce pollution control measures and ensure the protection of marine life and coastal ecosystems.

Economic and Industrial Impact

- The project is expected to create a new revenue stream through royalties and auction proceeds, contributing to the state's economic growth. Concerns have been raised regarding its impact on public sector undertakings such as Kerala Minerals and Metals Ltd, Indian Rare Earths Ltd, and Travancore Titanium Products Ltd.
- However, the government has clarified that these companies will not be affected, as beach sand minerals remain classified as atomic minerals and can only be mined by government agencies.

Implementation and Next Steps

- The auction process for the first tranche of offshore mineral blocks is currently underway. The announcement of technically qualified bidders is scheduled to take place between May 30 and June 13, 2025.

Conclusion

- The offshore mining project has the potential to enhance Kerala's economic growth, but it also poses significant environmental and social challenges. Effective regulatory measures, transparent decision-making, and sustainable development strategies will be essential to minimize negative impacts and ensure long-term benefits.

UPSC Mains Practice Question

Ques:Examine the potential economic benefits and environmental risks associated with offshore mining in India. How can the government ensure a balance between economic growth and ecological sustainability?(250 words)



Russia has expressed support for India's growing presence in the Arctic, calling it a stabilising factor amid rising tensions due to the militarisation of the region by NATO countries.

Amid militarisation concerns, India remains a stabilising factor in the Arctic: Russian envoy

Dinakar Peri
NEW DELHI

Russia sees India's interest in increasing its presence in the Arctic as a "stabilising factor", Russian Ambassador to India, Denis Alipov, said on Thursday.

Speaking at an India-Russia Arctic conference on "Uniting North and South: for Sustainable Development in the Arctic" organised by Vivekananda International Foundation and The Northern Forum of Russia, the diplomat expressed concern over the growing militarisation of the Arctic and the tensions generated by the members of the NATO military alliance.

He cited the enhanced tempo of their military activity in the Arctic and attempts by European NATO members to impose their own rules of the game as



Russian Ambassador to India, Denis Alipov, said 'tensions' had been generated by members of the NATO alliance. FILE PHOTO

inimical to sustaining security and stability in the region.

"We view India as a strategic partner in the joint development of the Arctic area and coordinated scientific, environmental, and commercial efforts," Mr. Alipov said. The rise of tensions caused by NATO countries has negatively impacted the role of the Arctic Council, whose ac-

tivities have been suspended since 2022," the Envoy said.

"In contrast to their hostile approach, we value India's constructive approach in the Arctic Council since its accession as an observer in 2013," added Mr. Alipov. "At various multilateral fora, Russia and India stand together to preserve the Arctic as a territory of peace and stabili-

ty and to unlock opportunities for its development as an engine of growth and cooperation."

According to Mr. Alipov, Russia is in favour of collaborating with India on research on climate change, atmospheric studies, geosciences, glaciology and polar biology. He highlighted that Indian scientists are studying the hypothesis that the Arctic influences the monsoon with a focus on South Asia.

The Arctic and Antarctic Research Institute in Saint Petersburg and the Northern (Arctic) Federal University in Arkhangelsk cooperate with the Indian National Centre for Polar and Oceanic Research, as well as the International Centre for Polar Studies at the Mahatma Gandhi University and Cochin University of Science and Tech-

nology. In 2024, the two countries signed a memorandum of cooperation in the field of scientific research in the Arctic.

Both countries have expressed mutual interest in exploring projects for the extraction of Arctic mineral riches, including energy resources and rare earth elements. Mr. Alipov noted that currently under consideration are opportunities for Indian companies to join projects promoted by NOVATEK and Gazprom Neft, two major Russian fossil fuel exploitation firms, in the Dolginskoye oil field and ventures in the Vostok oil cluster by partnering with Rosneft. There are also promising opportunities for Indian companies in the development of Yamal liquefied natural gas (LNG) and Arctic LNG-2 projects, added the diplomat.

- ➔ Russian Ambassador to India, Denis Alipov, highlighted India's constructive role in the Arctic Council and the potential for Indo-Russian cooperation in scientific research, environmental studies, and resource extraction.

Key Issues and Themes

Rising Militarisation of the Arctic

- ➔ NATO's increased military activity in the Arctic has led to tensions in the region.

- European NATO members are attempting to influence Arctic governance, which Russia views as a security threat.
- The Arctic Council, a key multilateral forum for cooperation, has been largely inactive since 2022 due to geopolitical tensions.

India's Strategic Role in the Arctic

- India has been an observer in the Arctic Council since 2013 and has followed a neutral, scientific, and developmental approach to Arctic engagement.
- India and Russia advocate for maintaining the Arctic as a zone of peace and cooperation rather than a battlefield for great power competition.
- India's Arctic Policy, introduced in 2022, focuses on climate change research, economic cooperation, and sustainable development.

Indo-Russian Cooperation in the Arctic

- Both countries are collaborating on climate change research, geosciences, glaciology, and polar biology.
- Indian scientists are studying Arctic influences on the monsoon and broader climatic patterns.
- Russia's Arctic and Antarctic Research Institute and Northern (Arctic) Federal University work closely with Indian institutions like the National Centre for Polar and Oceanic Research.
- In 2024, India and Russia signed a memorandum of cooperation for Arctic scientific research.

Economic and Energy Cooperation in the Arctic

- Russia has invited Indian companies to invest in Arctic mineral resources, including oil, gas, and rare earth elements.
- Key Russian energy projects involving India include the Dolginskoye oil field, the Vostok Oil Cluster in partnership with Rosneft, and the Yamal LNG and Arctic LNG-2 projects.
- Russian firms like NOVATEK and Gazprom Neft are seeking Indian investments.

Conclusion

- India's engagement in the Arctic is driven by scientific research, environmental concerns, and energy security rather than geopolitical rivalry. Russia sees India as a neutral and stabilising partner, which could help de-escalate tensions and promote sustainable Arctic development. Given the increasing global interest in the region, India's Arctic policy and partnerships will play a crucial role in shaping the future of Arctic governance.

UPSC Mains Practice Question

Ques :Analyze the impact of the increasing militarization of the Arctic by NATO countries. How does this affect global geopolitics, and what role can India play as a stabilizing factor? **(250 words)**



Tuberculosis (TB) remains a major public health challenge in India, with women facing unique barriers such as stigma, underdiagnosis, financial difficulties, and social isolation.

The TB crisis and women: why gender issues matters more than ever

Gender differences and inequalities play a critical role in how people access and receive TB-related services in the public and private sectors, in India. Women find themselves squeezed between their roles at home and at work. It takes time, prolonged care and money to treat TB and many women have neither

WORLD TB DAY

Bindu Shajan Perappadan

“I was 24 when I was diagnosed with MDR-TB. The two years spent in recovery, from 2021 to 2023, was a time when COVID-19 made even the smallest task a logistics nightmare. However, with help from my parents and medical staff, sustained treatment and care was possible,” says Akshata Acharya, an MDR-TB survivor from Maharashtra. “But it wasn’t logistics or access to treatment and good nutrition that was a challenge; for me, hurdles came in the form of my skin discoloration and becoming physically weak, which made going out an impossible task – it was the mental toll that eclipsed my life. Negative comments about my changed physical appearance, and advice from a grassroots healthcare worker to keep the disease ‘hidden’ opened my eyes to the discrimination and disparities that the disease brings along.”

Ms. Acharya adds, “As an actor, writer, and director, TB took away two years of my life. But then, I was more fortunate than some other TB patients. I remember a woman who, after being diagnosed with TB, was sacked from her job (she worked as a house help); also, her family abandoned her. TB, I learnt it can be very isolating and more so if you are a woman.”

Under-diagnosis, finances

Sadly, Ms. Acharya’s is not an isolated or stray case. Gender differences and inequalities play a critical role in how people access and receive TB-related services in the public and private sectors in India. The Union Health Ministry’s India TB Report 2023 indicates that men are more affected by TB compared to women. This higher risk of men developing TB could be attributed to risk factors including smoking and the use of intravenous drugs. Also, men are more likely to be in occupations that expose them to TB, such as mining, quarrying, metals, and construction industries. However, in India, women face challenges such as underdiagnosis and financial barriers to accessing treatment.

A recently published paper titled “Women and tuberculosis care in India: a scoping review” notes that while the variables that impacted women in the past, particularly gender roles and norms, seem to be waning over time, they cannot be ignored in the present. The focus that the government of India is placing on gender equity serves as a reminder that



In India, women face challenges such as under-diagnosis and financial barriers while accessing treatment. File photograph used for representational purposes only THE HINDU

these problems are still relevant for TB elimination efforts among women.

The author of the paper, Janmejaya Samal, explained that studies spanning 20 years (2004 to 2024) were reviewed to understand the changes, if any, around women and TB care in India. “The draft national strategic plan of India for TB 2017-2025 has estimated that about 3 million women would be affected by TB every year, and TB is one of the top 5 leading causes of death among adult women globally,” he said. He added that women in India deal with multiple hurdles, including stigma, lack of health-seeking behaviour and poverty, when it comes to accessing diagnosis, treatment, and care for TB. “Normalisation of symptoms, less prioritisation, and the role of caregiver in the family put women in a compromised state and need focused attention. This situation remains unchanged after COVID,” added Mr. Samal.

Public health specialist Chapal Mehra notes that at the grassroots level, women have multi-layered problems when it comes to accessing medical care. “Across India there are multiple cases of women being abandoned when diagnosed with TB; there are cases of symptoms not being attended to and the condition being allowed to worsen; women also are prone to stopping treatment mid-way when they feel that symptoms have waned,” he said.

Speaking about the plight of women who do manage to access diagnosis and treatment, Mr. Mehra said that if society and family do not accept and support women diagnosed with TB, they are unlikely to disclose the condition. “Many suffer, knowing that disclosing the disease

An estimated 331,000 deaths occurred due to TB in 2022, representing 23 deaths per 100,000 population. India accounts for a significant portion of the world’s TB cases, with 27% of the global incidence. Also, 2.5% of new cases and 13% of previously treated cases are estimated to be drug-resistant and 2% of patients are estimated to be HIV positive

would result in a loss of income. The pressure of housework and little social support are the two major hurdles that we often witness. We have also seen that when women lose their partners to TB, families often abandon them, and they are also plagued by the fear of passing on the disease to their children,” he added.

“NGOs working in this field say that Centre and states must ensure that benefit schemes are implemented in a robust manner with essential medicines and nutritional support reaching the poorest.

India’s targets

India has set itself a target of eliminating TB by 2025. An estimated 331,000 deaths occurred due to TB in 2022, representing 23 deaths per 100,000 population. India accounts for a significant portion of the world’s TB cases, with 27% of the global incidence. Also, 2.5% of new cases and 13% of previously treated cases are estimated to be drug-resistant TB (DR-TB), and approximately 2% of TB patients are

estimated to be HIV positive.

In 2020, the Revised National Tuberculosis Control Programme (RNTCP) was renamed the National TB Elimination Program (NTEP) to emphasise the resolve of the government of India to eliminate TB in India by 2025, five years ahead of the global targets of 2030. The Sustainable Development Goals (SDG) targets regarding TB (baseline 2015) include an 80% reduction in incidence. The NTEP focuses on early detection, effective treatment, and prevention. The Union Health Ministry runs targeted programmes for elimination, including Nikshay Poshan Yojana, under which it provides a direct benefit transfer of ₹1,000 each month to TB patients for the entire duration of their treatment, and the Pradhan Mantri TB Mukht Bharat Abhiyan, a first-of-its-kind initiative to provide additional nutritional support to those on TB treatment, through contributions from the community, including individuals and organisations. Meanwhile, the India TB Report 2023 notes that for the government, prevention is one of the four critical pillars of India’s fight against TB.

“India is running several initiatives, including identifying technical and administrative challenges faced by states/UT and providing course correction, introducing direct benefit transfer to beneficiary accounts, partnerships for private sector engagement and advocacy, communication and social mobilisation, including community engagement to tackle TB,” said a senior Health Ministry official.

bindu.p@thehindu.co.in

THE GIST

Post treatment women face the challenge of skin discoloration and weakness, which makes a return to a routine very difficult. It was the mental toll that eclipsed my life. Negative comments about my appearance exposed me to the discrimination that the disease brings with it

Women in India deal with multiple hurdles, including stigma, lack of health-seeking behaviour and poverty. Normalisation of symptoms, less prioritisation, and the role of caregivers in the family put women in a compromised state

Across India there are multiple cases of women being abandoned when diagnosed with TB; there are cases of symptoms not being attended to and the condition being allowed to worsen; women also are prone to stopping treatment midway when they feel that symptoms have waned

- The Union government has set a target to eliminate TB by 2025, but gender disparities in access to treatment and care continue to hinder progress.

Key Issues and Themes

Gender-Specific Challenges in TB Care

- ➔ **Social stigma and mental health impact:** Women diagnosed with TB often face discrimination, abandonment, and social isolation. Negative perceptions of physical changes due to TB treatment further impact their mental well-being.
- ➔ **Underdiagnosis and late detection:** Many women delay seeking medical help due to normalized symptoms, prioritization of household responsibilities, and societal expectations. This leads to worsened health outcomes.
- ➔ **Financial barriers:** Women, especially those from lower-income groups, struggle to afford treatment and nutritious food. Job losses and economic dependence make accessing consistent medical care difficult.

India's Efforts Towards TB Elimination

- ➔ **National TB Elimination Program (NTEP):** Launched in 2020 (previously RNTCP), it aims to eliminate TB in India by 2025 through early detection, effective treatment, and prevention strategies.
- ➔ **Nikshay Poshan Yojana:** Provides ₹1,000 per month to TB patients to support nutritional needs during treatment.
- ➔ **Pradhan Mantri TB Mukh Bharat Abhiyan:** A community-driven initiative that mobilizes resources for TB patients.
- ➔ **Direct Benefit Transfer (DBT) and private sector engagement:** Ensures financial support reaches patients directly and encourages private sector participation in TB control efforts.

TB Statistics in India

- ➔ India accounted for 27% of global TB cases in 2022.
- ➔ 331,000 deaths due to TB in 2022 (23 deaths per 100,000 people).
- ➔ **Drug-resistant TB (DR-TB):** 2.5% of new cases and 13% of previously treated cases are drug-resistant.
- ➔ **HIV-TB co-infection:** About 2% of TB patients are HIV positive.

Recommendations for Gender-Sensitive TB Interventions

- ➔ **Improve awareness and early diagnosis:** Public health campaigns must focus on increasing awareness about TB symptoms among women.
- ➔ **Strengthen social support systems:** Families and communities should be encouraged to support women undergoing TB treatment.

- **Enhance financial assistance:** Expanding monetary and nutritional aid programs to cover indirect costs like travel and lost wages.
- **Gender-sensitive health policies:** More female health workers and targeted outreach programs for women in rural areas.

Conclusion

- The fight against TB in India must adopt a gender-sensitive approach that addresses the unique barriers faced by women. While government schemes provide financial and nutritional support, addressing societal stigma, improving early diagnosis, and ensuring sustained care are crucial for TB elimination by 2025.

UPSC Mains Practice Question

Ques : Gender disparities in healthcare access hinder India's goal of eliminating tuberculosis by 2025. Discuss the challenges faced by women in TB treatment and suggest measures to ensure gender-sensitive healthcare delivery. (250 words)

Page 10:GS 1 : Indian Society : Salient Features of Indian Society

The concept of habitual offenders has its roots in colonial-era legislation that criminalized entire communities based on stereotypes rather than individual actions.

How do habitual offender laws discriminate?

How are habitual offenders deemed so? What is the history behind denotified and nomadic tribes being seen as 'criminal tribes'? Why are States such as Gujarat not keen to repeal the habitual offender laws?

EXPLAINER

Abhinav Lakshman

The story so far:

Months after the Supreme Court of India questioned the need for decade-old laws that have classified a section of criminals as "habitual offenders" across India, the Government of India has revealed in Parliament that such laws continue to operate in as many as 14 States and Union Territories.

What has the SC said about the matter in the past?

In October last year, while deciding a matter on caste discrimination within Indian jails, the Supreme Court of India had called into question the very basis of the "habitual offender" classification, noting it was "constitutionally suspect" and used to "target members of denotified tribes".

The recent information revealed in the Lok Sabha on March 11 by the Union Justice Ministry showed that some States like Gujarat have argued for the continuation of the law given that the "intent" of its use is not suspect, while others are in the process of discontinuing its application, like Punjab. States like Haryana have already repealed it. The government has said that the Union Ministry of Home Affairs communicates with States on these laws and the status of their repealing from time to time.

What is the origin of the 'habitual offender' classification?

According to the National Commission on Denotified, Nomadic, and Semi-Nomadic Tribes headed by Bhiku Ramji Idate, which submitted its report in 2017, the beginning of "criminalising" communities in India began with Regulation XXII of 1793, which gave magistrates "summary powers" to put to work or imprison certain communities or tribes based on suspicion alone. The Indian Penal Code of 1860 and the Criminal Procedure Code of 1861 further set up the mechanism to maintain a register of "dacoits and thugs", before culminating in the Criminal Tribes Act (CTA) of 1871. It was through this Act, the Idate Commission notes, that "the phrase 'criminal tribe' was first concocted, and the system of registration began". The law provided for "a gang, a tribe, or a class of people" to be declared criminal, and was strengthened throughout the next few decades. In 1924, the law was applied to all of colonial India which increased the number of communities declared "criminal" exponentially, according to the Idate report.

Just as the Constitution of India was being adopted, the government's Criminal Tribes Act Enquiry Committee Report (1949-50) was published, which recommended the repealing of the CTA, and encouraged "central legislation applicable to all habitual offenders without any distinction based on caste, creed, or birth". In 1952, based on this report, the Government of India repealed all criminal tribes laws across the country, leaving the communities notified under these laws to be classified as "denotified, nomadic, and semi-nomadic" (DNT, NT, SNT) tribes.

By this time, States had already started enacting "habitual offender" laws across the country, such as the Madras Restriction of Habitual Offenders Act, 1948, which was extended to Delhi in 1951. Rajasthan passed a similar law in 1953, and over the next two decades more



Criminal by 'habit': Members of various denotified tribes take an oath during the first conference of Itinerant People's Rights Organisation in 2012. FILE PHOTO

States – Andhra Pradesh, West Bengal, Karnataka, Goa, Himachal Pradesh, Uttar Pradesh, etc. – adopted laws on "habitual offenders". All of them moved away from the premise of classifying communities as "prone to crime", by defining a "habitual offender" in terms of the convictions they had had.

However, even though the CTA Enquiry Report had led to the redefining of habitual offender laws, by centering individuals over communities, more than a decade later, when the Lokur Committee in 1965 was looking at denotified tribes, it saw them as communities with an "anti-social heritage". Some specific communities were even described as having an "affinity for crime".

What were some of the crimes which made one a 'habitual offender'?

Habitual offender laws have a schedule of crimes for which the classification could be invoked. Across States, this included crimes like "being a thug", "belonging to a gang of dacoits", "living on the earnings of prostitution", and half-a-dozen entries on "lurking".

Registers were maintained, and rules and regulations were formulated by States on how "habitual offenders" were to be treated within prisons, leading to jail manuals across the country adopting the language of "habitual offenders", with some of them explicitly allowing for erstwhile "criminal tribe" community members to be designated as "habitual offenders" (for example in Rajasthan). But in 1998, the custodial death of Budhan Sabar, a member of a denotified community in West Bengal, led to national outrage over the concept of "habitual offenders" and how it was being used by the police.

When did change start?

From the outrage over Mr. Sabar's death, an advocacy group was formed known as the Denotified and Nomadic Tribes Rights Action Group (DNT-RAG) by writers Mahasweta Devi and G.N. Devy, who also spearheaded the launching of a magazine named after Budhan, which wrote on issues faced by these communities. The

DNT-RAG studied the conditions of denotified tribes and prepared a report.

In 1998, the DNT-RAG wrote to the National Human Rights Commission (NHRC) in India and the United Nations Secretary General, noting that even though the CTA had been repealed, "the police as well as the general public continue to treat most of these unfortunate communities as 'born criminals' and 'habitual criminals'", citing the habitual offender law in Bombay. "Every day brings in instances of mob-lynching, arson, and police atrocities enacted upon the innocent and helpless DNTs," the letter said.

Reacting to this letter, the NHRC formed an Advisory Group which in 2000, concluded that these "habitual offender" laws can be repealed. Since then, every National Commission that has dealt with the issue of DNT, NT, SNT communities has mentioned the adverse effect of "habitual offender" laws on these communities.

In March 2007, the United Nations Committee on the Elimination of Racial Discrimination noted the way "habitual offender" laws were being applied and called for its repeal. In 2008, the National Commission on DNT, SNT, NT headed by B.S. Renke noted the negative effect of the laws on the lives of these communities.

In 2014, the High-Level Committee of the Tribal Affairs Ministry, headed by Professor Virginius Xaxa noted, "The tag of criminality attached to DNTs and to the nomadic way of life of nomadic tribes persists to the present day. The explanation lies, in good measure, in the Criminal Tribes Act being replaced in many States by the Habitual Offenders Act." In 2020, journalist Sukanya Santha reported on widespread caste-discrimination within Indian prison systems, including the treatment meted out to those who have been classified as "habitual offenders", based on which she filed a petition in the Supreme Court.

How have States reacted?

Deciding this case in October 2024, a Bench headed by then-Chief Justice D.Y. Chandrachud had noted that while "habitual offender" laws were not the

subject of the matter specifically, it felt compelled to make some observations.

It said, "The 'habitual offender' legislations were enacted to replace the Criminal Tribes Act. However, in States such as Rajasthan, they were used to refer to members belonging to criminal tribes/denotified tribes. Applying that logic, several Prison Manuals/Rules have also referred to 'habitual offender' to mean members of Denotified Tribes or wandering tribes...This cannot be accepted. A whole community ought not to have either been declared a criminal tribe in the past or a habitual offender in the present. It would not be wrong to say that the classification of 'habitual offender' has been used to target members of Denotified Tribes."

Further down in the judgment, the Supreme Court went on to "urge" the State governments to review whether there remained any need for such "habitual offender" laws in the country.

According to the latest information provided by the States and UTs to the Ministry of Home Affairs, Punjab has said that it has not implemented the law for over five years and neither had any register been maintained in this time. Similarly, the Odisha government has said that no case had been registered under the law in the last five years and Andhra Pradesh has said that no one in their jails currently was imprisoned under the law.

Some States like Goa have argued that since there are no DNTs in their State, there is no scope of the law being misused to target them and have indicated that they may be allowed to continue using them. Gujarat has opined against repealing it saying it "does not intend" to harass. Telangana has called the law preventative, whereas Uttar Pradesh has said that since all "habitual offender" provisions had been covered under their Goondas Act, it does not matter if it is repealed.

According to the latest available records of the National Crime Records Bureau (for 2022), about 1.9% of India's 1.29 lakh convict population have been classified as "habitual offenders", with the highest proportion seen in Delhi, where 21.5% of convicts are classified as such.

THE GIST

➤ In October last year, while deciding a matter on caste discrimination within Indian jails, the Supreme Court of India had called into question the very basis of the "habitual offender" classification, noting it was "constitutionally suspect" and used to "target members of denotified tribes".

➤ Habitual offender laws have a schedule of crimes for which the classification could be invoked. Across States, this included crimes like "being a thug", "belonging to a gang of dacoits", "living on the earnings of prostitution", and half-a-dozen entries on "lurking".

➤ In March 2007, the United Nations Committee on the Elimination of Racial Discrimination noted the way "habitual offender" laws were being applied and called for its repeal.

➤ Despite the repeal of the Criminal Tribes Act (CTA) in 1952, various states continue to enforce habitual offender laws, which disproportionately target Denotified, Nomadic, and Semi-Nomadic

Tribes (DNT, NT, SNT). The Supreme Court of India has questioned the constitutional validity of such laws, highlighting their discriminatory nature.

Historical Context: Criminalization of Communities

➤ Colonial-Era Legislation:

- The criminalization of certain communities began with Regulation XXII of 1793, which allowed magistrates to imprison or put to work entire tribes based on suspicion.
- The Indian Penal Code (1860) and the Criminal Procedure Code (1861) created registers for "dacoits and thugs."
- The CTA of 1871 formally labeled some tribes as "criminal," assuming their inherent tendency toward crime.

➤ Post-Independence Reforms:

- The CTA was repealed in 1952, and affected communities were reclassified as Denotified, Nomadic, and Semi-Nomadic Tribes.
- However, new "habitual offender" laws were introduced at the state level, replacing community-based classification with individual-based categorization.

How Do Habitual Offender Laws Discriminate?

➤ Targeting of Denotified Tribes (DNTs):

- Many states continue to view DNTs as having an "anti-social heritage," as reflected in the Lokur Committee Report (1965).
- Some prison manuals still explicitly associate habitual offender status with former "criminal tribes."

➤ Broad and Vague Definition of Crime:

- Habitual offender laws classify individuals based on repeated convictions, but the crimes listed include subjective offenses such as "lurking" or "being a thug."
- This allows police to register individuals without concrete evidence, leading to arbitrary arrests and harassment.

➤ Systemic Prejudice and Policing Bias:

- Police forces disproportionately monitor and detain members of DNT communities.
- The 1998 custodial death of Budhan Sabar in West Bengal highlighted police brutality against members of such communities.

➤ Denial of Basic Rights and Opportunities:

- Those labeled as habitual offenders face discrimination in employment, housing, and education.

- This classification leads to lifelong marginalization and economic deprivation.
- ➔ **Judicial and Human Rights Concerns:**
 - The Supreme Court in 2024 stated that “a whole community ought not to have been declared a criminal tribe in the past or a habitual offender in the present.”
 - The UN Committee on the Elimination of Racial Discrimination (2007) called for the repeal of such laws due to their discriminatory impact.

Why Are Some States Reluctant to Repeal These Laws?

- ➔ **Law and Order Justification:**
 - States like Gujarat argue that the laws are preventive and do not intend to harass communities.
 - Telangana justifies the laws as a means to curb repeat offenses.
- ➔ **Administrative Convenience:**
 - Police rely on habitual offender records to monitor individuals, despite the risk of wrongful profiling.
 - Goa argues that since no DNT communities exist in the state, the law does not pose a risk of misuse.
- ➔ **Overlapping Legal Provisions:**
 - Uttar Pradesh claims that its Goondas Act already covers habitual offender provisions, making the repeal unnecessary.

Way Forward: Addressing Discrimination

- ➔ **Repeal of Habitual Offender Laws:**
 - States should follow the example of Haryana and Punjab, which have discontinued these laws.
 - The Supreme Court’s recommendations should be implemented to ensure constitutional compliance.
- ➔ **Police and Judicial Reforms:**
 - Sensitization programs should be conducted to eliminate bias against DNT communities.
 - Strict oversight mechanisms should be in place to prevent wrongful arrests.
- ➔ **Social and Economic Rehabilitation:**
 - Government programs must focus on providing education, employment, and social inclusion for DNT communities.
 - The stigma of past classification as “criminal tribes” must be actively countered through awareness campaigns.

Conclusion

- Habitual offender laws continue to reinforce systemic discrimination, disproportionately targeting historically marginalized communities. The Supreme Court's recent observations offer a critical opportunity for states to rethink and repeal these outdated laws. A rights-based approach, emphasizing rehabilitation over stigmatization, is essential to ensure justice and equality for all citizens.

UPSC Mains Practice Question

Ques :Examine the historical roots of habitual offender laws in India and critically analyze their impact on Denotified, Nomadic, and Semi-Nomadic Tribes (DNT, NT, SNT). **(150 Words)**



In News : Sansad Bhashini Initiative

- The Lok Sabha Secretariat and the Ministry of Electronics and Information Technology (MeitY) signed a Memorandum of Understanding (MoU) to develop the Sansad Bhashini initiative recently.



About Sansad Bhashini Initiative

- It is an initiative jointly undertaken by the Lok Sabha Secretariat and Ministry of Electronics and Information Technology (MeitY) for the development of a package of in-house AI.
- It is designed to integrate AI-powered tools that will facilitate multilingual support, optimize documentation, and improve overall parliamentary operations.
- The initiative will deploy cutting-edge AI applications such as real-time speech-to-text transcription, speech-to-speech translation, and interactive AI chatbots.
- These technologies will ensure seamless translation of parliamentary debates, committee reports, and legislative documents into multiple Indian languages, thereby fostering inclusivity and broader public engagement.
- It will leverage AI to transcribe spoken debates into text in real-time, making parliamentary discussions more accessible and easier to reference.
- This transcription system will incorporate features such as background noise reduction, customizable vocabulary, and efficient documentation tools to enhance accuracy and usability.
- Additionally, AI-enabled automatic summarization of extensive debates will facilitate quicker decision-making and streamlined record-keeping.

The challenge of policing digital giants

On November 18, 2024, the Competition Commission of India (CCI) issued a landmark order imposing a fine of ₹213.14 crore and forcing several behavioural remedies on Meta. This included a five-year ban on sharing user data collected on WhatsApp with other Meta companies such as Facebook and Instagram, for advertising purposes. In turn, Meta approached the National Company Law Appellate Tribunal (NCLAT) in an appeal against CCI's order. The NCLAT, on January 23, 2025, granted a stay on the five-year ban from sharing user data and the penalty, subject to Meta depositing 50% of the total penalty.

The CCI's order found that the privacy policy update introduced by Meta's subsidiary, WhatsApp, in 2021 was an abuse of dominant position in the "Over-The-Top (OTT) messaging services for smartphones" and "Online Display advertising" markets in India. This update required users to mandatorily consent to expanded data-sharing, allowing Meta to provide access to such data to all of its other platforms; forcing users to accept a data-sharing agreement on a "take-it-or-leave-it" basis, combined with the competitive advantage this data provides in online digital display advertising, constitutes an abuse of dominant position. The updated policy was viewed as a strategy to strengthen the market power of WhatsApp, potentially harming competition and hindering other messaging platforms from competing on equal terms.

The era of data

In the 21st century, the economy has become digital and data is the new oil, but unlike oil, the utility of data is virtually limitless. It can be collected, analysed, and reused indefinitely. In digital markets, data plays a foundational role in creating and sustaining dominance due to its unique characteristics and the competitive advantages it provides. Data is both the source and the enabler of dominance in digital markets. Platforms such as Meta leverage vast data pools collected from billions of users to refine algorithms, offer hyper-targeted advertising, and create personalised experiences, thereby locking consumers into their ecosystems. This dominance is further amplified by data-driven network effects, where more users generate more data, enhancing the platform's value and deterring competitors.

Meta is not the only tech giant to face scrutiny from the CCI. In 2022, Google was fined ₹1,337.76 crore for abusing its dominant position across several markets, including licensable operating systems for smart mobile devices, app stores for Android devices, non-OS-specific mobile web browsers, online video hosting platforms, and general web search services in India. Google was found to have abused its dominant position by

Shri Venkatesh

is the Founding Partner at SKV Law Offices and has over 17 years of experience in commercial dispute resolution and regulatory law

Priya Dhankhar

is a Senior Associate at SKV Law Offices and has over eight years of experience in dispute resolution

Harsh Vardhan

is an Associate at SKV Law Offices and works with the Dispute Resolution team at SKV

There are lessons from the Meta case, which highlight the need for a more forward-looking approach to competition law

mandating the pre-installation of its apps on Android devices. This penalty was later upheld by NCLAT in 2023.

Global actions

The challenges posed by Meta's market dominance are not confined to India and have been a global regulatory concern. The Majority Staff Report on 'Competition in Digital Markets' (by the U.S. Subcommittee on Antitrust, Commercial and Administrative Law of the Committee on the Judiciary) highlighted the urgent need to reform antitrust laws to address the unprecedented market power of tech giants. Meta faces antitrust litigation in the U.S. over its acquisitions of Instagram and WhatsApp, accused of creating barriers to entry for competitors, while Google has been sued for monopolistic practices. In 2024, the US District Court for the District of Columbia found Google in violation of the Sherman Act due to exclusive agreements in search and advertising markets.

Australia has also taken steps to address the dominance of digital platforms. In Europe, the Facebook-Germany case stands out, where the Bundeskartellamt (Federal Cartel Office) found Meta had abused its dominant position by combining user data from various sources without explicit consent, violating both European Union (EU) competition law and the General Data Protection Regulation (GDPR). This decision accentuates how data misuse can erode consumer privacy and hinder competition by creating entry barriers.

In addition, Meta is under scrutiny in the EU for its ad-supported subscription service, while Google has already been fined over €8 billion across three major antitrust cases, including those targeting its anti-competitive practices in the mobile operating systems and app markets.

The parallels between the regulatory actions against Meta and Google emphasise the importance of addressing data exploitation, vertical integration, and anti-competitive practices through a multidisciplinary approach. Together, these approaches illustrate the challenge of harmonising regulatory philosophies to effectively tackle the monopolistic practices of global tech giants.

Google and Meta are not even the first tech giants to face policing for dominating markets in the U.S. In the past, a ruling in an antitrust lawsuit required AT&T to divest 22 operating companies, dismantling its monopoly. Similarly, anti-trust proceedings against Microsoft resulted in oversight, ensuring API access for third-party developers and greater flexibility for PC manufacturers.

The CCI orders against Google and Meta represent just a small chapter in the broader, well-documented concerns about the overwhelming dominance of "tech monopolies"

in key markets such as advertising, e-commerce and smartphone services. While the orders are a great beginning, a cycle of disputes across jurisdictions indicates that they may be stop-gap measures in regulating the free market in this context.

On India's laws

India's competition law, namely, the Competition Act, 2002, currently lacks explicit provisions to address data-centric monopolies. While traditional frameworks focus on price-based dominance, digital markets often witness dominance arising from data aggregation. To address this gap, amendments to the Act should introduce "data monopolization" as a parameter for assessing market dominance by redefining key concepts such as "market power" and "dominant position" to reflect the realities of data-driven dynamics. The Act should also incorporate global best practices for addressing the concerns, such as mandating interoperability and data-sharing agreements or separation of integrated services. These measures could serve as effective solutions for entrenched monopolies and help level the playing field for smaller competitors while maintaining innovation incentives.

The Digital Personal Data Protection Act, 2023 provides an opportunity to complement competition law by regulating data collection, consent, and usage. However, the absence of explicit coordination mechanisms between the CCI and the Data Protection Board of India limits the effectiveness of addressing overlapping concerns. India could draw inspiration from the EU's integration of competition law with the Digital Markets Act (DMA) and GDPR to create frameworks that tackle data exploitation and anti-competitive practices comprehensively.

Addressing these challenges is crucial for India to fully harness the potential of its digital transformation, ensuring inclusive growth and equitable access to digital resources across the nation. The Economic Survey 2024-25, recently tabled in Parliament, underlines India's rapid digital transformation, and emphasises the critical role of artificial intelligence (AI) in shaping the nation's economic landscape. These developments underscore the imperative for India to adapt its regulatory frameworks, including competition law. As the digital economy continues to evolve, regulatory frameworks must not only catch up but also anticipate emerging challenges posed by rapidly advancing technologies and the ever-expanding influence of tech giants.

While the Meta case serves as a pivotal moment in India's efforts to regulate digital markets and address the complexities of data-driven monopolies, it also highlights the need for a more comprehensive and forward-looking approach to competition law.

GS Paper 03 Science & Technology

UPSC Mains Practice Question: The dominance of technology giants in digital markets poses a threat to innovation and competition. Discuss the impact of data-driven monopolies on India's startup ecosystem and suggest measures to create a level playing field.

Context :

- The Competition Commission of India (CCI) recently imposed a significant fine on Meta amounting to ₹213.14 crore and restricted its data-sharing practices across platforms like WhatsApp, Facebook, and Instagram.
- This ruling reflects growing regulatory concerns over data-driven monopolies and the abuse of dominant positions by digital giants. However, Meta's appeal to the National Company Law Appellate Tribunal (NCLAT) resulted in a partial stay, highlighting the complexities of enforcing competition law in digital markets.
- This case is not isolated. Global regulators, including those in the United States, European Union, and Australia, have also taken action against Meta and Google for anti-competitive practices. This analysis explores the broader implications of such regulatory efforts on market competition, data privacy, and legal frameworks in India.

Why is this Issue Important?

- Regulation of big tech has become a critical policy challenge in India and worldwide.
- Consumer data protection is at risk due to unrestricted collection and sharing of user data.
- Digital monopolies can hinder the growth of smaller competitors and startups.
- India's competition laws need to evolve to address the dominance of technology companies.

Key Issues in the Meta Case

➤ Abuse of Dominant Position by Meta

- In 2021, WhatsApp introduced a privacy policy update that required users to consent to sharing their data across Meta's platforms. The CCI found this policy to be an abuse of dominant position in two key markets:
 - Over-the-top messaging services, where WhatsApp holds a virtual monopoly in India.
 - Online display advertising, where Meta benefits from data collected across its platforms.
- By forcing users to accept these terms on a take-it-or-leave-it basis, Meta gained an unfair competitive advantage while restricting smaller competitors.

CCI's Order and NCLAT's Stay

- The CCI imposed a fine of ₹213.14 crore and a five-year ban on data-sharing between WhatsApp and Meta's other platforms.
- Meta challenged the order at NCLAT, which granted a stay on both the fine and the data-sharing restriction, subject to Meta depositing 50 percent of the penalty amount.
- This highlights the challenge of enforcing competition laws against global tech giants.

Big Tech Regulation in India and the World

➤ Regulatory Actions in India

- In 2022, Google was fined ₹1,337.76 crore for forcing smartphone manufacturers to pre-install its apps on Android devices. This penalty was upheld by NCLAT in 2023.
- The case against Meta follows a similar pattern, reflecting broader concerns over market dominance in the digital economy.

➤ Global Regulatory Trends

- In the United States, the Subcommittee on Antitrust, Commercial and Administrative Law called for stricter regulations on big tech companies. Google was found in violation of the Sherman Act for monopolizing search and advertising markets. Meta is also facing scrutiny over its acquisitions of Instagram and WhatsApp.
- In the European Union, Germany's Federal Cartel Office fined Meta for combining user data across platforms without explicit consent, a violation of both competition law and data protection regulations. Google has faced over €8 billion in fines for anti-competitive practices.
- Australia has introduced laws mandating that Google and Meta pay media companies for news content displayed on their platforms.

Legal and Policy Gaps in India

➤ Shortcomings in the Competition Act, 2002

- India's competition law primarily focuses on price-based monopolies.
- It does not explicitly address data monopolization, which plays a major role in digital markets.
- Possible reforms include introducing data dominance as a criterion for assessing market power and mandating interoperability between platforms.

➤ Role of the Digital Personal Data Protection Act, 2023

- The law regulates user data collection, consent, and usage.
- However, there is no direct coordination between the CCI and the Data Protection Board of India, which limits enforcement in cases of data-driven monopolization.
- India can take inspiration from the European Union's approach, where competition law is integrated with digital market regulations and data protection laws.

Broader Implications for India's Digital Economy

➤ Competition and Startup Growth

- If unchecked, anti-competitive practices by large technology companies could stifle innovation and restrict new entrants in the market.

- Stricter regulations can help create a level playing field for startups.
- **Consumer Privacy and Data Protection**
 - Data exploitation and privacy violations could become widespread without strong enforcement.
 - India needs to strengthen data protection laws to safeguard consumer interests.
- **Artificial Intelligence and Digital Regulations**
 - The Economic Survey 2024-25 highlights the growing role of artificial intelligence in India's economy.
 - Without proper regulatory frameworks, AI-driven data monopolization could further strengthen the dominance of big tech firms.

Way Forward

- **Amendments to the Competition Act**
 - Recognizing data-driven market power as a key determinant of dominance.
 - Introducing mechanisms for fair data-sharing and interoperability between platforms.
- **Strengthening the Data Protection Framework**
 - Enforcing stronger penalties for companies that misuse consumer data.
 - Establishing better coordination between the CCI and data protection regulators.
- **Learning from Global Best Practices**
 - The European Union's Digital Markets Act ensures fair competition by regulating how large platforms handle data and interoperability.
 - The United States has used antitrust laws to curb monopolistic practices in the technology sector.
 - India can develop a hybrid model that incorporates elements from both these approaches.

Conclusion

- The CCI's order against Meta is an important step in regulating digital markets, but legal loopholes and enforcement challenges remain. A comprehensive approach that integrates competition law with data protection laws is necessary to ensure fair competition and consumer protection. As digital markets continue to expand, India must adopt proactive measures to address emerging regulatory challenges.