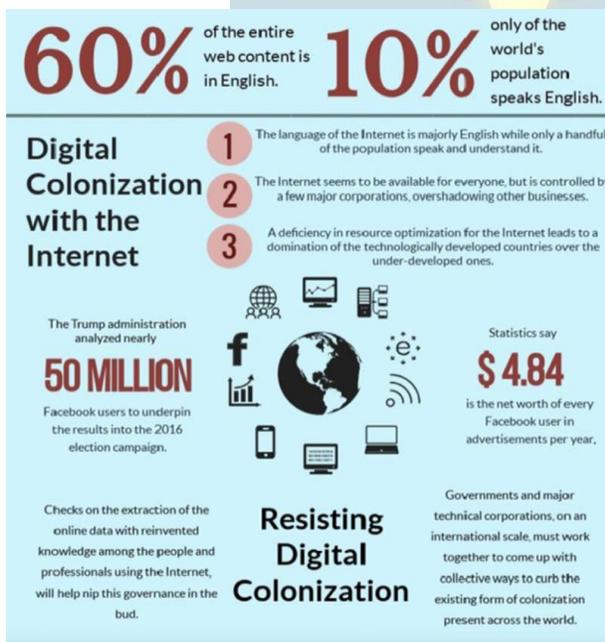
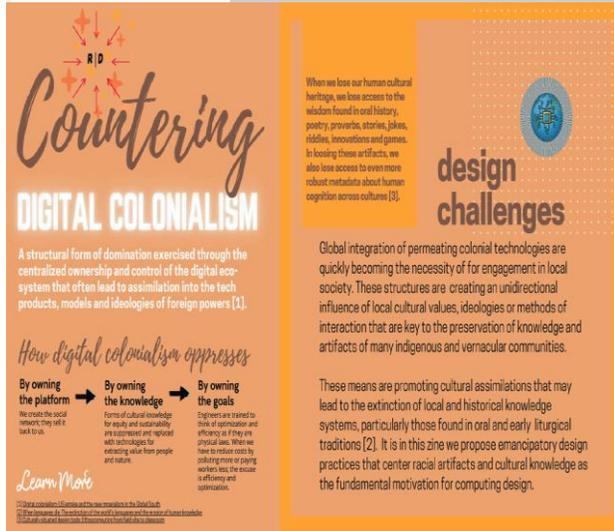


## Digital colonialism - US vs China



When Thomas L. Friedman triumphantly declared in 2005 that the world was flat, with the opportunities having been equalised globally, it was considerably premised on new digital developments.

This new geopolitical and geoeconomics ideology was led by the United States, home to most of the world's Big Tech.

It first sought to redefine development through the field of ICT4D (Information and Communication Technologies for Development), and then herald a new dawn for democracy globally.

Behind it all of course was a new plan to employ the global reach of digital tentacles, and later data enabled controls, for economic expansionism.

Some called it digital colonisation, due to its extractive nature

It devised a set of digital trade proposals seeking binding commitments from countries to essentially prevent any effective future regulation of Big Tech.

- For some years now, such digital trade proposals have been the hottest agenda at various plurilateral trade negotiations and at the World Trade Organization (WTO)
- U.S. needs domestic policy space to regulate Big Tech and AI, for which data and source code could be important leverage points.

## Current Affairs 11<sup>th</sup> November 2023 by Saurabh Pandey

- Having employed this as a major reason for opposing global digital trade agreements, developing countries can feel vindicated.
- From flat to a split digital world But a major (perhaps the main, unstated) reason for the U.S. declaration is the China factor.
- The flat world was a happy place for the U.S. when it meant its singular digital hegemony over it.
- But with China fast on the heels of the U.S. towards digital super power hood, the situation has become more complex.
- The digital trade negotiations at the WTO are open to all countries, and China grasped the opportunity to participate in them
- A free digital trade agreement with free data flows, without the need to share the source code of digital products, and allowing remote computing facilities could similarly be employed globally by China to now outsmart the U.S. digitally.
- It could help bring China on an equal footing with the U.S. in accessing global digital markets, and in driving and controlling the world's digitalization, in all sectors.
- U.S. may still push for data flow, source code, and facilities location, related provisions in regional digital trade deals, in some form or the other.
- Such deals will be led by the U.S., and, significantly, be limited to its allies.
- The Indo Pacific Economic Framework for Prosperity (IPEF) and the Americas Partnership for Economic Prosperity (APEP) are two such initiatives by the U.S.
- It is pursuing similar interests through bilateral trade and technology councils, for example with the European Union (EU) and India.

### What developing countries to do?

- Should make the most of the new global consensus on the need for strong digital regulations to rein in Big Tech and manage AI, including through policies related to data, source code, and location of computing facilities.
- The U.S.'s statement is like abnegation by the king, with the EU already employing data and source code related laws in its domestic regulation which are beginning to look quite contrary to its positions at global digital trade forums

developing countries must stoutly resist a new trap of a digital Cold War, whereby they get bound into digital dependencies either with the U.S. or China.

- A new digital regulation paradigm should combine with strong digital industrial policies to bolster domestic digital industry. Countries should aim at creating globally open standards, open protocols, and open digital public infrastructures
- Revamping new criminal justice system. The Government has introduced three Bills to replace the core laws, i.e., the Indian Penal Code (IPC), 1860, the Code of Criminal Procedure (CrPC), 1973, and the Indian Evidence Act (IEA), 1872, which form the basis of the criminal justice system.
- These Bills are being examined by the Parliamentary Standing Committee on Home Affairs. (The Bharatiya Nyaya Sanhita Bill will replace the IPC; the Bharatiya Nagarik Suraksha Sanhita Bill will be in place of the CrPC, and the Bharatiya Sakshya Bill will replace the IEA.)
- As these Bills replace the entire Acts and are not merely Amendment Bills to fix some gaps they provide an opportunity for an overhaul of the

laws underlying the criminal justice system.

The Hindu

### Modernizing the law

- There are seven issues related to modernising jurisprudence.
- First, whether these Bills exclude civil law. Usually, criminal law deals with issues that are seen as an offence against the broader society or state while civil law deals with loss to a person.
- However, the CrPC includes provisions for maintenance of wife and children after divorce
- Second, whether these Bills create a reformatory system rather than a punitive system. There is a move towards this by making community service as a form of punishment.
- However, several minor offences (such as keeping an unauthorised lottery office, which carries a maximum penalty of six months imprisonment) are not compoundable, which means they will go through the process of trial and conviction.
- Third, whether maintenance of public order and the process of criminal prosecution should be in the same law.

- Fourth, whether various directions of the Supreme Court of India have been codified in these proposed laws.
- The Bill codifies the procedure for mercy petitions. However, there is no codification of various directions related to arrests and bail.
- Fifth, whether the Bills try to ensure consistency of implementation
- Sixth, whether the age provisions have been updated for modern norms.
- Seventh, whether gender related offences have been updated.

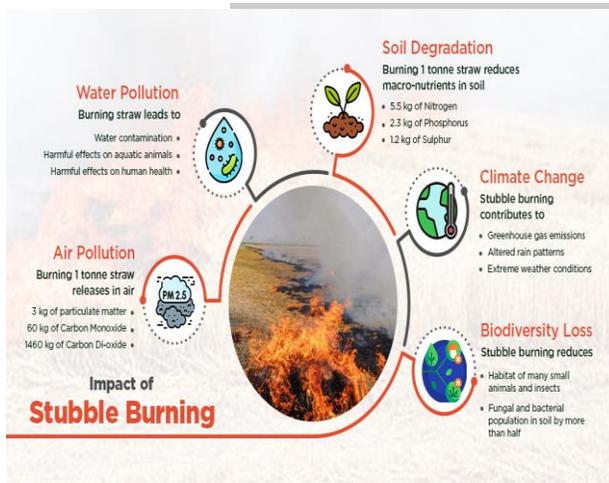
### Overlap with special laws

- The IPC was enacted in 1860 as the principal law specifying offences and penalties. Since then, several laws have been enacted to deal with specific offences.
- However, the IPC and the Bill to replace it continue to specify some of these offences and the applicable penalties.
- This leads to duplication as well as inconsistency across these laws
- The Bill (like the IPC) overlaps with several other Acts such as those related to food adulteration, sale of adulterated drugs, bonded labour, and rash driving.
- Abortion continues to be an offence though it is permitted under certain conditions under the Medical Termination of Pregnancy Act, 1971.
- The Bill replacing CrPC retains the provision requiring maintenance of a parent though a special Act was passed in 2007 regarding this.
- The three laws had a number of illustrations from daily life to clarify their provisions. Some of these illustrations have become obsolete but have still been retained.
- These include people riding chariots, firing cannons and being carried on palanquins. It may be useful to update these illustrations to events from modern life.

The Hindu

### Stubble burning





**BURNING ISSUE**



**PUSA BIO-DECOMPOSER**

> Developed by Indian Agricultural Research Institute (IARI) to decompose stubble into manure; field validation started in 2019; being used in Delhi since 2020



> The product, a set of four capsules, mixed in 10 or 25 liters of water to prepare solution

> 10 litres of solution takes 5 days, 25 litres takes 10-12 days to form concentrated solution

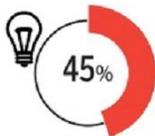
> The solution is mixed with 200 litres of water to prepare spray for one acre of stubble (approx 2.5 tonnes)

> Stubble is then mulched or mixed with soil

> Field lightly irrigated  
 > Scientists claim it takes 15 to 25 days for decomposing, later field is prepared for winter crops  
 > It increases soil fertility

**EFFICIENT USE OF ENERGY**

An IIT-Delhi team is providing technical support to a power plant in Fazilka, Punjab, which uses paddy straw to generate energy



of energy available in biomass is harnessed as thermal energy by this plant; most other processes harness only 15-20% energy

If not burnt, paddy straw in the northern Indian states can be utilised to yield **2.2 million tonnes** of oil equivalent to **25,365 gigaWatt** per year

**STEP BY STEP**

- > Size to paddy straw reduced by mechanical pulverization
- > 10 parts straw is then added with 90 parts water
- > The material is kept in the plant for 30 days to produce biogas
- > **Removal of hydrogen sulfide:** In order to use biogas, in electrical generator it necessary to lower hydrogen sulfide concentration to avoid damage of engine
- > Gas is supplied to the engine for power generation

**The Hindu**

**SC on Governor**

- The Supreme Court laid down that a Governor cannot sit on key Bills passed by a State Legislature after casting doubts on the validity of the Assembly session in which the proposed laws were passed with overwhelming majority by the elected representatives of the people

**SURGE IN CASES**

> According to Punjab Remote Sensing Centre, a total of 52,942 incidents of paddy stubble burning have been reported from September 23 to November 26 up from 50,590 in 2018  
 > The state government had registered over 1,700 FIRs against farmers and imposed fines for burning stubble, impounded combine harvesters and made red entries in land records



**SUGGESTIONS FROM FARM ACTIVISTS**

- > Provide compensation for crop residue management (CRM) to those having up to 10 acres of land
- > Give machinery for management as proposed by the National Green Tribunal
- > Drop the practice of imposing fines
- > Prepare ground for pulling farmers out of paddy by setting up strong marketing network with assurance purchase of crops
- > Stop seeing farmers as villains and stop making red entries into land records of those burning stubble

**Court's prescription**

SC observed that Governor is "playing with fire" by holding back crucial Bills

- Governor cannot sit on Bills claiming the House passed them in an invalid session convened after adjourning sine die without prorogation
- Speaker is within jurisdiction in adjourning the House sine die
- Any attempt to cast doubt on the session of the Legislature is fraught with grave perils to democracy

**The Governor,** as an appointee of the President, is a titular head of the State  
**SUPREME COURT BENCH**



- The court, in its short order, highlighted that Article 200 of the

Constitution mandated the Governor to act “as soon as possible” when Bills, passed by the State Legislature, were presented to him for declaration of assent.

- Chief Justice Chandrachud orally observed that the Governor could either give his assent, withhold assent in which case, if the Bills were not Money Bills, return the Bills to the House suggesting modifications/amendments or refer the proposed laws to the President
- The State said the Governor had positioned himself as a political rival to the legitimately elected government. The Governor’s inactions had caused an impasse between the constitutional head of the State and the elected government of the State. The Governor was toying away with the citizen’s mandate, the petition said.

- Union Home Minister Amit Shah on Friday said 168 villages along the China border that do not have any connectivity yet would be connected by road and other forms of communication in the next one year.
- He said the country’s security would suffer if border villages were emptied out due to migration and the vibrant village programme (VVP) would ensure that all facilities and infrastructure reached there.
- He said the country could not be safe without development of the border areas.
- Self Sustainable Energy Building (SSEB) was very special because built at an altitude of 17,000 feet in the cold desert this building would become a symbol of self reliant India.

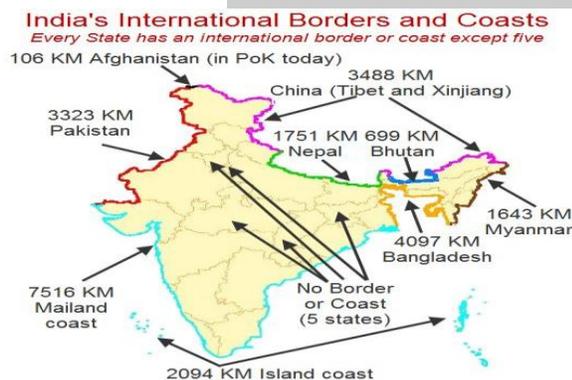
The Hindu

### Early warning system for earthquake

- The Android Earthquake Early Warning system supplements the government’s efforts on earthquake alerts and aims to provide people with advance notice that can help them stay safe.
- Earthquake alerts did go out immediately in many areas around the India Nepal border, where the shaking was strongest, pointing to

The Hindu

### Border management



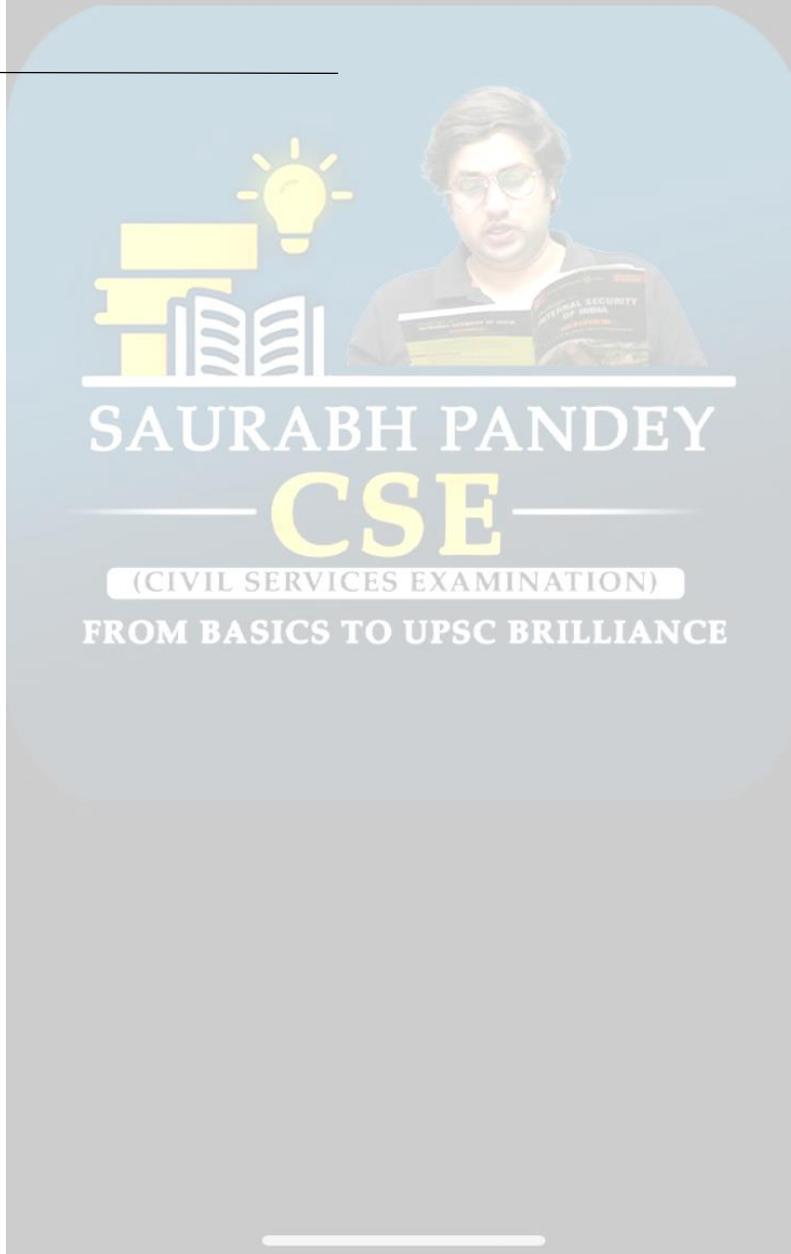
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screenshots posted online by social media users in this region.

- The company says it warns users only if the shaking in their area can expect to cross a value of 3.5 on the Modified Mercalli Intensity (MMI) Scale, a measurement of shaking during earthquakes that serves as an alternative to the Richter scale.

The Hindu



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