

11 March 2019: UPSC Exam Comprehensive News Analysis

TABLE OF CONTENTS

A. GS1 Related

B. GS2 Related

POLITY AND GOVERNANCE

1. Lok Sabha polls from April 11 to May 19
2. EC ducks issue of greater VVPAT usage

HEALTH

1. When pharma cos. don't pay up penalties

INTERNATIONAL RELATIONS

1. India asks Saudi to invest in strategic oil storage
2. There is still room for talks on GSP

C. GS3 Related

ECONOMY

1. A SWIFT response could have saved banks
2. Wind loses energy as policy paralysis blows through this renewable sector

D. GS4 Related

E. Editorials

INDIAN POLITY AND GOVERNANCE

1. Politicisation of Events Post-Pulwama
2. Model Code of Conduct comes into effect

F. Tidbits

G. Prelims Facts

H. UPSC Prelims Practice Questions

I. UPSC Mains practice Questions

A. GS1 Related

Nothing here today!!!

B. GS2 Related

Category: POLITY AND GOVERNANCE

1. Lok Sabha polls from April 11 to May 19

Context:

Elections to the 17th Lok Sabha will be conducted in seven phases across the country from April 11 to May 19.

Details:

- The Model Code of Conduct came into effect immediately on the announcement of the schedule, with the Election Commission introducing fresh measures to enhance the integrity of the electoral process and raise the accountability of campaigners.
- The Commission reiterated that strict action would be taken for the use of photographs of defence personnel in the election propaganda.
- There are more than 10.35 lakh polling stations, 10% higher than in 2014.
- The CEC said the standard operating procedure for the security of EVMs and VVPATs had been revised to ensure that their end-to-end movement was monitored through GPS-fitted transport vehicles.
- The intermediaries have already started awareness campaigns for users highlighting the EC activities. The exercise will cover awareness campaigns regarding unlawful conduct during election, particularly the prohibited period of 48 hours under Section 126 of the Representation of the People Act. The platforms have appointed grievance officers and will deploy fact checkers to identify fake news and other malpractices.

What is Model Code of Conduct?

- The Model Code of Conduct is a set of guidelines issued by the Election Commission of India to regulate the conduct of political parties and their candidates in the run up to elections and is aimed at ensuring free and fair elections.
- It doesn't have any statutory basis but has an indisputable legitimacy.
- All the parties across the political spectrum need to adhere to it in letter and spirit.
- The Code was issued for the first time in 1971 before the 5th Lok Sabha elections. Since then, it has been issued before every central and state election.
- The objectives of MCC are to ensure a level playing field for all political parties, prevent conflicts between parties, and ensure law and order during the election season.
- The primary purpose is to ensure that the ruling party does not misuse or use the government machinery for its election campaign purpose.
- The Code of Conduct comes into force immediately after the elections are announced by the EC.
- It applies to political parties, their candidates and polling agents, the government in power and all government employees.

Know more about EVM and VVPATs here:
<https://youtu.be/oCMMKHjpOV8>

2. EC ducks issue of greater VVPAT usage

Issue:

The Election Commission (EC) was approached by the leaders of Opposition parties expressing concern over the possibility of electronic voting machines (EVMs) being tampered with. It was demanded that 50% of the EVM results be matched and cross-checked with VVPAT slips before declaring the Lok Sabha election results.

Details:

- Chief Election Commissioner said that the committee of experts from the Indian Statistical Institute, constituted to determine a feasible threshold for counting of Voter Verifiable Paper Audit Trail (VVPAT) slips, would submit its report before the conclusion of the Lok Sabha election process.

- EC had started counting VVPAT slips at one polling station in every Assembly constituency.
- However, considering the opposition parties' memorandum, the Commission appointed a high-powered committee from the Indian Statistical Institute to look into the issue.
- As per the standard procedure, the first level check of EVMs and VVPATs is completed in the presence of representatives of political parties. A two-stage randomisation of the machines will also be done.
- Before the actual use of EVMs and VVPATs at polling stations, mock polls are conducted on the machines in three stages.

Category: HEALTH

1. When pharma cos. don't pay up penalties

Issue:

Pharmaceutical companies charged with overpricing were slapped penalties of Rs. 3152.46 crore in the past five years, but the government was unable to recover even half the amount since 2013-14. The amount recovered from pharma companies stands at a meagre Rs. 610.50 crore (till September 2018).

Details:

- Whenever companies are found overcharging consumers on the prices of medicines, demand notices are issued by the National Pharmaceutical Pricing Authority (NPPA) for the recovery of the overcharged amount, along with 15% interest thereon for violation.
- If the manufacturers do not deposit the demanded amount, further action is initiated against them.
- Explaining the dismal recovery rate on the violation of Drugs (Prices Control) Order (DPCO), 2013, the NPPA said: "Pharmaceutical companies have been approaching the courts of law in relation to issues mainly of overcharging and pricing etc. They are, however, free to come into review before moving to court."
- Inconsistent leadership of the NPPA, the lethargic processing of overcharged amounts, and a lack of willingness to hold companies to account for violating DPCO norms are the reasons for low recovery rate.

Way forward:

- India is globally the third largest producer of medicines by volume and the 14th in terms of value because of the fact that Indian medicines are among the lowest priced in the world. Out of the total production, about 50% of the medicines are consumed within India; the rest are exported.
- The recent downward trend in recovery coincides with the considerable weakening of the NPPA's legal capacity, which has resulted in the putting up of poor defences in legal battles, and lack of interest towards filing of appeals in verdicts going against the public interests.
- Health activists opine that sending out notices to pharma companies is not an adequate deterrent.
- There is a need to initiate multiple steps, including stiff penalties, for non-payment, threats to stop production, or taking them to court, etc.

National Pharmaceutical Pricing Authority:

- The National Pharmaceutical Pricing Authority (NPPA) is a government regulatory agency that controls the prices of pharmaceutical drugs in India.
- NPPA is delegated with the powers to exercise the functions of the Central Government in respect of various paragraphs of the Drug Price Control Orders (DPCO) – DPCO, 1995 and now DPCO, 2013
- NPPA implements the National Pharmaceutical Pricing Policy 2012.

Functions of NPPA:

- Fixation and revision of prices of scheduled drugs (those medicines included in Schedule I of the DPCO which are subject to price control) and formulations.
- Monitoring of prices of decontrolled drugs and formulations, Implementation and enforcement of the provisions of DPCO in accordance with the powers delegated.
- Monitoring the availability of drugs, identify shortages, taking remedial steps, etc.
- The organization is also entrusted with the task of recovering amounts overcharged by manufacturers for the controlled drugs from the consumers.

Category: INTERNATIONAL RELATIONS

1. India asks Saudi to invest in strategic oil storage

Context:

India is expanding its strategic reserves to shield from perennial political risk in the Middle East. India invited Saudi Arabia, which is the second largest supplier of crude and LPG to India to invest in its strategic oil storage.

Details:

- India is seeking investment from Saudi Arabia to build emergency crude reserves that will act as a buffer against volatility in oil prices and supply disruptions for the third-largest oil consumer.
- India imports four out of every five barrels of oil it consumes and is expanding its strategic reserves to shield from perennial political risk in the Middle East and Africa that account for the bulk of its purchases.
- India has already built 5.33 million tons of underground reserves in three locations, which can meet 9.5 days of the country's oil needs. It now plans two new reserves with a combined capacity of 6.5 million tons, sufficient to cover an additional 12 days.
- Some of the underground caverns have been opened for commercial storage to lessen the strain on state finances. It has already leased out tanks to Abu Dhabi National Oil Co.
- India, which meets 83 per cent of its oil needs through imports, built the storages as insurance for any disruption in supplies. It has the right of first refusal to buy the crude oil stored in the facilities in case of an emergency.
- Strategic engagements in energy will mutually benefit both our countries and further bolster the bilateral ties.

2. There is still room for talks on GSP

Context:

The president of the U.S.-India Business Council at the U.S. Chamber of Commerce believes that there is still room for talks on generalised system of preferences (GSP), as the programme benefits both the U.S. side and the India side.

Issue:

The US government had announced that India's status as a beneficiary under the generalised system of preferences (GSP) will be revoked. There's a two-month window before it takes effect. According to US, this benefit is being revoked because India, after almost a year of talks, failed to provide an assurance that it will provide greater market access.

What is GSP?

- GSP is largest and oldest US trade preference programme introduced in 1976.
- It is designed to promote economic development by allowing duty-free entry for thousands of

products from designated beneficiary countries both developing and developed countries.

- Under it, a wide range of industrial and agricultural products originating from certain developing countries are given preferential access to US markets.
- India's case, GSP enables duty-free entry of 3,500 product lines in US markets, which benefits exporters of textiles, engineering, gems and jewellery and chemical products.
- Withdrawal of the GSP would be against India's interest as it offers India about \$5.66 billion of Indian exports duty-free status.

C. GS3 Related

Category: ECONOMY

1. A SWIFT response could have saved banks

Context:

RBI had been warning lenders on possible misuse of Society for Worldwide Interbank Financial Telecommunication (SWIFT); it has finally fined 36 banks for negligence.

What is SWIFT?

- The Society for Worldwide Interbank Financial Telecommunication (SWIFT) is the global messaging software that enables financial entities to send and receive information about financial transactions in a secure, standardised and reliable environment.
- It is a global member-owned cooperative that is headquartered in Brussels, Belgium.
- It was founded in 1973 by a group of 239 banks from 15 countries which formed a co-operative utility to develop a secure electronic messaging service and common standards to facilitate cross-border payments.
- It carries an average of approximately 26 million financial messages each day. In order to use its messaging services, customers need to connect to the SWIFT environment.
- There are several ways of connecting to it: directly through permanent leased lines, the Internet, or SWIFT's cloud service (Lite2); or indirectly through appointed partners.
- Messages sent by SWIFT's customers are authenticated using its specialised security and identification technology.
- Encryption is added as the messages leave the customer environment and enter the SWIFT Environment.
- Messages remain in the protected SWIFT environment, subject to all its confidentiality and integrity commitments, throughout the transmission process while they are transmitted to the operating centres (OPCs) where they are processed — until they are safely delivered to the receiver.

Details:

- Much before the Punjab National Bank Scam in 2018, RBI cautioned the banks about the possible misuse of the SWIFT infrastructure and directed them to implement safeguards.
- Despite repeated warnings, the PNB fraud, touted to be among the biggest in the industry, happened.
- Even the PNB scam failed to wake up banks. As a result, the regulator came down heavily on the banks, imposing monetary penalty on 36 banks for failing to implement the safeguard which was mainly integrating the SWIFT infrastructure with Core Banking Solution (CBS) within a time frame.
- The Banking Regulation Act allows the RBI to impose a maximum penalty of Rs. 1 crore for a single breach.
- In April 2017, under former RBI Governor Urjit Patel, the RBI had set up an enforcement department. The idea was to centrally speed up regulatory compliance.

- The purpose was to separate those who oversaw possible rule breaches and those who decided on punitive actions so that the enforcement process operated fairly and was evidence based.
- “Now, all the penalty powers are processed through one single department. The department essentially was set up to identify actionable violations. It follows a consistent, rule-based policy for enforcement,” central banking sources indicate.

RBI Circular:

- A circular was issued on the 20th of February. It was an outcome of what happened in the PNB scam. It was believed that the scam is mainly due to people and process failure not so much a technology failure.
- The guidelines were mainly about people and process and though there were some technology tweaking that the banks had to do, the major one had been sending messages from the core banking system

Why were the banks penalised?

According to the experts, there are four reasons why the banks were penalised:

1. For not maintaining the timeline though many of them have complied with the norms now.
2. Since the Core Banking Solution (CBS) was required to be integrated with SWIFT, the question is whether CBS was equipped for this. Which means compliance was required from third-party vendors and their lack of readiness also could have led to delays.
3. Third, even if the third-party software was ready, the bank may not have used it effectively.
4. There could be some small banks who may not have started the process.

Conclusion:

- There are speculations that the RBI action may not go down well with the global inter-governmental agency Financial Action Task Force (FATF) during the country assessment.
- At present, the fourth round of assessment is going on and India is likely to be assessed soon.
- The FATF reviews anti-money laundering, combating the financing of terrorism policies of countries, the compliance of financial institutions of these countries and the supervisory effectiveness in enforcing them.
- Questions could be raised as to why banks are so reluctant to comply with regulatory directions on an important issue such as international wire transfer mechanism.
- Queries may also be raised as to why the regulator was unable to make lenders comply with its directions in a time-bound manner and as to what steps the regulator is taking so that such incidents do not recur.

2. Wind loses energy as policy paralysis blows through this renewable sector

Context:

From a euphoric 5,500 MW in 2016-17 — when wind energy companies rushed to commission their projects so as to get their foot in before certain incentives expired, capacity additions have dropped to 1,762 MW in 2017-18 and an estimated 1,600 MW in 2018-19.

The reason for drop in capacity additions:

- Unlike solar, wind power plants cannot be put up anywhere but only in locations where winds blow strong.
- In India, there are eight States where it is economically viable to put up wind turbines —Tamil Nadu, Gujarat, Karnataka, Maharashtra, Madhya Pradesh, Rajasthan, Telangana and Andhra Pradesh.

- For about two decades, wind energy firms (called ‘developers’) would erect the turbines at chosen sites and sell power to the electricity supply companies at prices fixed (called ‘feed-in tariffs, or FiT’) by the respective State electricity regulators. The developer would get the FiT for the entire power purchase agreement period, typically 25 years.
- Because only eight States constituted the ‘market’, annual fresh capacity installations used to be in the 1,500 MW — 3,000 MW corridor.
- Expanding the market meant that the other States also should buy wind power. This could not happen because of difficulties in putting up projects in one State and selling the electricity to another.

Centre’s role:

- As soon as the BJP came to power in 2014, it fixed a target of 1,75,000 MW of capacity for renewable energy of which 1,00,000 MW would be solar, 60,000 MW wind and the rest biomass and small hydro.
- The Government (through its new company, SECI), became a trader — it would buy power from the developers and sell it to the non-windy States, thus expanding the market.
- Developers who offered to sell at the least prices would get to sign long-term power purchase agreements; they could put up their projects anywhere, but should deliver the power at a substation. Thus began the shift from fixed FiTs to market-determined tariffs.
- The trouble began when developers offered to sell electricity at prices as low as Rs. 3.46 a kWhr; in contrast, the least FiT was Rs. 4.16 in Tamil Nadu.
- Upon seeing the prices fall low, the windy states started introspecting on the reasons why they had to buy power at costly FiT prices and decided to conduct their own auctions. As they dithered, the ‘windy State market’ vanished.
- But the continued on further rounds of auctions. In 2017-18, just two auctions, for 2,000 MW, happened. The year ended on a gloomy note. Prices dropped consistently, and fell to a low of Rs. 2.44.
- Two other problems arose:
 1. To be viable at such low prices, developers flocked to the two windiest States — Gujarat and Tamil Nadu. All of the SECI-awarded projects (70% of all auctioned capacities) went to them, which was more than the ability of the substations to take the power.
 2. Gujarat frowned at 5,400 MW worth of projects coming up on its soil but all the power going to the non-windy States. It refused to give land and came out with a policy that forced developers to put up their projects in specified ‘wind parks.’ Since the parks are not necessarily the best sites for wind projects, the developers didn’t like the policy. Negotiations began, project work got delayed.
- As the best sites got taken, prices began to rise after from the fourth SECI round. Governments, suspecting a developers’ cartel, began imposing tariff caps — or the highest price they would accept. And they began cancelling auctions at ripe stages.
- Notably, the benefits of the low tariffs have never been passed on to the consumer — the electricity supply companies have pocketed the benefits.
- The government is hesitant about ‘substation wise auctions’, apparently because it will result in higher price quotes.

D. GS4 Related

Nothing here for today!!!

E. Editorials

Category: INDIAN POLITY AND GOVERNANCE

1. Politicisation of Events Post-Pulwama

Note to Students:

- Ever since the events on the 14th of February, 2019 where 40 brave CRPF jawans were martyred in a suicide terror attack that was conducted by the Jaish-e-Mohammad, a terror outfit supported by India's western neighbour, Pakistan, and the 'non-military, pre-emptive strikes' that India launched during the early hours of the 26th of February, 2019, which according to an official statement by the Ministry of External Affairs, Government of India, "a very large number of JeM terrorists, trainers, senior commanders and groups of jihadis who were being trained for fidayeen action were eliminated", there has been a politicisation of the sacrifices made by the Indian Armed Forces, largely done in view of the upcoming General Elections.
- In this editorial analysis, we present some of the important perspectives on this issue across articles that have been featured in the Hindu and other leading newspapers.

Editorial Analysis:

1. The Military Vs. Political Binary

- There is a strongly held belief, often convincingly articulated by leading thought leaders, that national security must be divorced from politics. As a matter of fact, this is so entrenched in popular narratives that any attempt at discussing national security through the lens of politics is immediately discredited: "How can someone politicise something as important as national security?"
- While this is true, some experts have pointed out that 'de-politicisation' comes handy for the government since "do not politicise" also means "do not ask difficult questions", a convenient way out of a tricky situation.
- However, for the general public, this results in weariness over how the political class has managed national security problems.
- ***The solution is to offer better political reasoning, and not replace political formulations with military ones, which is often seen as the easy way out.***

Military solutions over political ones: A Perspective

1. When we privilege military solutions over political ones while dealing with conflict resolution, we find that the former uses a specific set of tools, discourses and methods to resolve conflicts unlike the toolkit politics uses for conflict resolution.
 - Consider an example. Post-Pulwama, the Government of India began a security crackdown in the Kashmir Valley and airlifted around 100 companies of paramilitary forces to enforce it. This is a typical and time-tested military solution to the unrest in the State of Jammu and Kashmir.
 - A political solution would have been what the Government of India adopted to deal with the widespread anger in the Valley in late 2010, wherein it sent a team of interlocutors to talk to the protesting Kashmiris.
 - The interlocutors were able to bring about a sense of normalcy almost immediately, whereas the influx of more armed men into the Valley is unlikely to achieve that.
2. Further, militarised methods and narratives also lead to de-politicisation, or the dismissal of normal politics from the public sphere, ushering in what could be called 'temporary emergencies'.

- Here's an example. In the immediate aftermath of the Pulwama attack, a leading Indian actress tweeted: "Anyone who lectures about non-violence and peace at this time should be painted black, put on a donkey and slapped by everyone on the streets." Put differently, she advocated that the practice of normal politics be suspended and be replaced by a depoliticised and securitised discourse. And that those who violate such 'emergency' should be punished.
 - It is important to note that when such short spells of emergency are normalised, it opens the door for more permanent securitised spaces and narratives.
 - Kashmir, which has more or less been reeling under spells of temporary emergencies for close to three decades now, is a perfect example.
3. Privileging militarisation over politicisation for conflict resolution is indeed unwise and counter-productive. As a matter of fact, when divorced from their underlying political intent, militarised approaches can lead to mindless violence — something democratic societies should unconditionally resist.
 4. Military means to deal with conflicts do have their limited utility, but they must be politically guided.

'Freedom to the military':

- Another reflection of depoliticising security matters is the tendency to argue that the armed forces should be given complete autonomy to deal with security problems.
- In the immediate aftermath of Pulwama, Prime Minister Narendra Modi, for instance, declared that the "armed forces have been given complete freedom to take action", a statement that was well received by the general public.
- However, giving complete freedom to the military is replete with several complications. Critics opine that telling the armed forces that they are free to deal with the problem as they wish is a dangerous abdication of political responsibility which was entrusted to them through a democratic process.
- Secondly, 'giving complete freedom to the military' is an open invitation to use military solutions to deal with what are essentially political problems.
- Thirdly, and even more important, 'complete freedom' flies in the face of political control that should be the hallmark of a mature democracy.
- It is one thing for the general public to nurture romantic notions about military solutions, but it is dangerous for the political class to actually enshrine that in policy guidance. ***Popular fetishes about military force are the stuff for feel-good fiction, not policy making.***
- One direct implication of de-politicised conflict resolution is that it typically leads to more violence. When men in uniform die, their loss becomes a rallying cry for more violence which then leads to even more casualties — the cycle goes on until political solutions are brought in. We observe this when we take any militarised conflict as an example.
- The fact is that every death due to violence must be avoidable, and that can only happen if statesmen and women are willing to climb down from the cycle of violence. But for that to happen, there must be a decidedly political approach to conflict resolution.

1. Losing the Information War (A Perspective)

- India is used to a negative international media. After the 1998 nuclear tests, the American media

echoed the sentiment that “the Indian government has not shot itself in the foot. Most likely it has shot itself in the head.” As events unfolded, its dire predictions turned out to be completely inaccurate.

- The difference between then and now, when the global media has cast doubts about India’s “non-military and preemptive” response to the Pulwama terrorist attack, is that the Indian version of events is hardly getting a credible hearing.
- Some experts believe that this is because the Indian government no longer has viable channels to put across its point of view to the Western media.
- By acts of commission and omission, the Ministry of External Affairs (MEA), which should be in the driving seat for such publicity, has, over the last few years, discontinued the practice of having foreign correspondents based in India, attend briefings by MEA spokespersons.
- Had this been followed, some experts point out, the Indian position might have been persuasively argued.
- The earlier practice for many decades was that following the daily briefing by the MEA spokesperson, Indian and foreign correspondents would gather at 4.30 p.m. for discussions over tea. It gave an opportunity for the spokesperson, who was sometimes joined by heads of MEA’s territorial divisions, to informally put across what he or she could not say on record about India’s stake in diplomatic jugglery. Inevitably, some of this would be published in reports.
- That did not happen with events post-Pulwama. The daily briefing by the MEA spokesperson seems to have faded in importance.
- Towards the end of Manmohan Singh’s tenure as Prime Minister, the daily briefing was scrapped in favour of weekly briefings.
- ***Some experts opine that with the current practice, the government is unable to disseminate information that could have produced a more sympathetic global media on the current play in India-Pakistan relations.***
- *Recent Directive Issued by the Election Commission of India:*
- Ahead of the ensuing Lok Sabha polls, the Election Commission of India has issued an advisory to all political parties asking them to desist from using photographs of defence personnel in political advertisements or poll campaigning.
- In the general advisory addressed to all “recognized national/state political parties”, the ECI pointed out that ***it had been brought to the notice of the commission that some political parties were using defence personnel photographs in advertisements as part of their political campaigns.***
- Citing its December 2013 letter to all political parties, the commission reminded them of the instructions issued therein and told them to ensure strict compliance.
- “The Ministry of Defence has brought to the notice of the Commission that the photographs of the Defence personnel are being used by the Political Parties, their leaders and candidates in advertisements as part of their election propaganda and requested the Commission to issue suitable instruction in this regard,” the letter dated 4 December 2013 had communicated to the parties.
- The advisory that was recently issued, added: “...the Armed Forces of a nation are the guardian of its frontiers, security and the political system. They are apolitical and neutral stakeholders in a modern democracy. It is therefore necessary that the political parties and leaders exercise great caution while making any reference to the Armed Forces in their political campaigns.”
- The ECI said it was of the view that photographs of the Chief of Army Staff or any other defence personnel and that of functions of defence forces “should not be associated with or used in any manner in advertisement/ propaganda/campaigning or in any other manner in connection with elections by political parties and candidates”.
- The commission called upon all political parties to advise their candidates and leaders to desist from displaying photographs of defence personnel or functions involving them in advertisements, or as

part of their campaigning for elections.

- “You are, therefore, requested to issue appropriate instructions to your candidates/leaders/cadres in this regard to ensure compliance in the matter,” the ECI said.

2. Model Code of Conduct comes into effect

Why in the news?

- Lok Sabha Election 2019 will be held in seven phases from April 11, 2019 to May 19, 2019.
- With the announcement of dates, the Model Code of Conduct (MCC) has come into force and lays down a list of dos and don'ts for the political parties ahead of elections.

Larger Background and Analysis:

What is the Model Code of Conduct?

- The Election Commission's Model Code of Conduct is a set of guidelines issued to regulate political parties and candidates prior to elections.
- The rules range from issues related to speeches, polling day, polling booths, portfolios, content of election manifestos, processions and general conduct, so that free and fair elections are conducted. *When does the Model Code of Conduct come into effect?*
- According to the Press Information Bureau, a version of the MCC was first introduced in the state assembly elections in Kerala in 1960.
- It was largely followed by all parties in the 1962 elections and continued to be followed in subsequent general elections.
- In October 1979, the EC added a section to regulate the 'party in power' and prevent it from gaining an unfair advantage at the time of elections.
- The MCC comes into force from the date the election schedule is announced until the date that results are out.
- As a result, it will kick in from today evening and will remain in effect until the election process is concluded. *What restrictions does the Model Code of Conduct impose?*
- The MCC contains eight provisions dealing with general conduct, meetings, processions, polling day, polling booths, observers, the party in power, and election manifestos.
- As soon as the code kicks in, the party in power — whether at the Centre or in the States — should ensure that it does not use its official position for campaigning.
- Hence, no policy, project or scheme can be announced that can influence the voting behaviour.
- The party must also avoid advertising at the cost of the public exchequer or using official mass media for publicity on achievements to improve chances of victory in the elections.
- The code also states that the ministers must not combine official visits with election work or use official machinery for the same.
- The ruling party also cannot use government transport or machinery for campaigning.
- It should also ensure that public places such as maidans etc., for holding election meetings, and facilities like the use of helipads are provided to the opposition parties on the same terms and conditions on which they are used by the party in power.
- The issue of advertisement at the cost of public exchequer in the newspapers and other media is also considered an offence.
- The ruling government cannot make any ad-hoc appointments in Government, Public Undertakings etc. which may influence the voters.
- Political parties or candidates can be criticised based only on their work record and no caste and communal sentiments can be used to lure voters. Mosques, Churches, Temples or any other places of

worship should not be used for election propaganda.

- Bribing, intimidating or impersonation of voters is also barred.
- Holding public meetings during the 48-hour period before the hour fixed for the closing of the poll is also prohibited.
- ***The 48-hour period is known as “election silence”.***
- The idea is to allow a voter a campaign-free environment to reflect on events before casting her vote. *Is the Model Code of Conduct legally binding?*
- The fact is that the MCC evolved as part of the ECI’s drive to ensure free and fair elections and was the result of a consensus among major political parties.
- ***It has no statutory backing.***
- Simply put, this means anybody breaching the MCC can’t be proceeded against under any clause of the Code. Everything is voluntary.
- ***The EC uses moral sanction or censure for its enforcement.***
- The ECI can issue a notice to a politician or a party for alleged breach of the MCC either on its own or on the basis of a complaint by another party or individual.
- Once a notice is issued, the person or party must reply in writing — either accepting fault and tendering an unconditional apology or rebutting the allegation.
- In the latter case, if the person or party is found guilty subsequently, he/it can attract a written censure from the ECI — something that many see as a mere slap on the wrist.

A Brief look at some of the previous MCC violations:

- In the run-up to Gujarat polls in 2017, both BJP and Congress accused each other of violating the Model Code of Conduct. The BJP pointed to Rahul Gandhi’s interviews to TV channels during the 48-hour period before polling, while the Congress accused Prime Minister Narendra Modi of violating the same provisions by holding a ‘roadshow’ in Ahmedabad after casting his vote.
- During Goa elections, EC pulled up Delhi CM Arvind Kejriwal for asking voters to “accept money from the Congress and BJP candidates but vote for the AAP”.
- It is important to note that although the Commission rarely resorts to punitive action to enforce the MCC, there is one recent example when unabated violations forced EC’s hand. During the 2014 Lok Sabha polls, the EC had banned BJP leader and now party president Amit Shah and SP leader Azam Khan from campaigning in order to prevent them from further vitiating the poll atmosphere with their speeches.
- ***The Commission resorted to its extraordinary powers under Article 324 of the Constitution to impose the ban.***
- It was only lifted once the leaders apologised and promised to operate within the Code.

“cVIGIL”- A Recent Measure Taken to enforce the Model Code of Conduct:

- “cVIGIL” is a user-friendly and easy to operate Android application. It will be operational only where elections are announced.
- The app requires an Android smartphone equipped with a camera, good internet connection and GPS access. The operating system should be Android Jellybean and above. The application supports all the latest Android smartphones.
- ***“cVIGIL” will allow anyone in the election-bound state to report violations of Model Code of***

Conduct (MCC) that comes into effect from the date of announcement of elections and goes on till a day after the polls. By using this app, citizens can immediately report on incidents of misconduct within minutes of having witnessed them and without having to rush to the office of the returning officer to lodge a complaint.

- The vigilant citizen has to click a picture or record a video of upto two minutes' duration of the scene of violations of the model code. The photo or video is to be uploaded on the app. The automated location mapping will be done by the app using the Geographic Information System.
- After its successful submission through the app, the vigilant citizen gets a Unique ID to track and receive the follow up updates on her or his mobile. A citizen can report many incidents in this manner and will get a unique id for each report for follow up updates. The identity of the complainant will be kept confidential. Once the complaint is lodged, the information beeps in the District Control Room from where it is assigned to a Field Unit. A field unit consists of Flying Squads, Static Surveillance Teams, Reserve teams etc.
- Each Field Unit will have a GIS-based mobile application called 'cVIGIL Dispatcher', which allows the unit to directly reach the location through navigation technology and take action.
- After a Field Unit has taken action, it messages and uploads the relevant document as 'action taken report' via the 'cVIGIL Dispatcher' to the returning officer concerned for his decision and disposal. If the incident is found correct, the information is sent to the National Grievance Portal of the Election Commission of India for further action and the vigilant citizen is informed about the action taken within a hundred minutes.

How is misuse prevented in the App?

- The app has inbuilt features to prevent its misuse. It will receive complaints only about Model Code of Conduct violations.
- The user will get 5 minutes to report an incident after having clicked a picture or a video.
- To prevent any misuse, the app will not allow uploading of the pre-recorded or old images and videos.
- The app will not facilitate saving of the photos or videos recorded using the 'cVIGIL' app into the phone gallery either.
- Further, the application will be active only in States where elections have been announced. The moment a citizen exits an election-bound State, the app will become inactive.
- So far, the complaints about violations of Model Code of Conduct often could not be followed instantly, leading to the violators escaping detection from the action squads. Also, the lack of any documented evidence in the form of pictures or videos was seen as a hurdle in verifying a complaint.
- Further, the absence of a robust response system to quickly and accurately identify the scene of occurrence of violations with the help of geographical location details hampered election officers' ability to apprehend the violators.
- The new app is expected to fill in all these gaps and create a fast-track complaint reception and redressal system.

Concluding Remarks: The Way Forward

- ***Statutory backing to Model Code of Conduct:*** It is expedient to give statutory backing to the Model Code of Conduct leaving no vacuum for the Election Commission of India (ECI) to exercise its residuary power to enforce the Model Code of Conduct.
- ***Power to derecognise political parties:*** The power of the ECI to derecognise political parties on account of violation of the Model Code of Conduct may be incorporated in the Representation of People Act, 1951.

F. Tidbits

Nothing here for today!!!

G. Prelims Fact

Nothing here for today!!!

H. Practice Questions for UPSC Prelims Exam

Q1. Consider the following statements with respect to Kanyashree Prakalpa Scheme

1. The “Kanyashree Prakalpa” is a targeted conditional cash transfer scheme aimed at retaining girls in schools and other educational institutions.
2. It is a Haryana Govt initiative to reduce female infanticide
3. The United Nations has awarded first place for Public Service for its “Kanyashree” scheme.

Which of the above mentioned statements are correct?

- a. Only 1 and 2
- b. Only 1 and 3
- c. Only 1
- d. All of the above

Answer: b

Explanation:

The “Kanyashree Prakalpa” is a targeted conditional cash transfer scheme aimed at retaining girls in schools and other educational institutions.

- It was introduced by the West Bengal Government in 2013
- It aims towards skill development and prevent child marriage.
- All girl children within the age of 13 to 19 years from families with annual income up to Rs 120000/- are eligible
- The United Nations has awarded the West Bengal government the first place for Public Service for its “Kanyashree” scheme.

Q2. Krishonnati Yojana does not include which of the following?

- a. National Mission on Oilseeds and Oil Palm
- b. National Mission for Sustainable Agriculture (NMSA)
- c. National Mission on Agricultural Extension and Technology
- d. National Mission on Silk and sericulture

Answer: d

Explanation:

Krishonnati Yojana is an umbrella scheme which includes the following:

- National Food Security Mission (NFSM)
- National Food Security Mission-Commercial Crops
- Mission for Integrated Development of Horticulture (MIDH)
- National Mission on Oilseeds and Oil Palm
- National Mission for Sustainable Agriculture (NMSA)
- National Mission on Agricultural Extension and Technology
- Price Stabilization Fund for Cereals and Vegetables

Q3. Consider the following statements about Bhakthi saint Kabir:

1. Kabir was a weaver and a Bhakthi saint who composed Dohas.
2. Kabir tried to unite the two religions of Hinduism and Islam.
3. The followers of Kabir were referred to as Kabirpanths.

Which of the above statements are correct?

- a) 1 and 3 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) All of the above

Answer: d

Explanation

Kabir, was a Bhakti saint (in Banaras). The *dohas* (or couplets), which Kabir composed and preached to his followers are still recited. Kabir realized that religious differences do not matter, for what really matters is that everyone should love God. God has many names (e.g. Ram, Rahim, etc.). Therefore, he tried to build a bridge between the two religions, namely Hinduism and Islam. The followers of Kabir had formed a separate group, popular as **Kabirpanthis**. Later, Surdas and Dadu continued the bhakti tradition.

Q4. Which of the following air pollutants are considered for determining the Air Quality Index?

1. Ozone
2. Carbon dioxide
3. Sulphur dioxide
4. Nitrogen dioxide
5. Carbon monoxide
6. Particulate Matter

Choose the correct answer:

- a. 1,2,3,4,5
- b. 1,3,4,5,6
- c. 2,3,4,5,6

d. 1,2,3,5,6

Answer: B

Explanation:

The AQI is an index for reporting daily air quality. EPA calculates the AQI for five major air pollutants regulated by the Clean Air Act: ground-level ozone, particle pollution (also known as particulate matter), carbon monoxide, sulfur dioxide, and nitrogen dioxide. For each of these pollutants, EPA has established national air quality standards to protect public health. Ground-level ozone and airborne particles are the two pollutants that pose the greatest threat to human health in this country.

See previous [CNA](#)