

23 Apr 2019: UPSC Exam Comprehensive News Analysis

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Category: POLITY AND GOVERNANCE

1. Staff entitled to information on defunct company, says CIC

Context:

- Jet Airways' employees are protesting against their delayed salaries and are demanding financial support from lenders to revive the airline.
- The Central Information Commission has delivered a ruling in favour of the employees of another beleaguered aviation company – Cambata Aviation which may empower Jet Airways' employees.

Details:

- In August 2016, India's first private ground-handling company Cambata Aviation stopped operations, leaving around 2,700 employees in the lurch with pending salaries and unpaid benefits.
- Later, allegations of tax fraud and financial irregularities reportedly brought the company under the scanner of the Enforcement Directorate.
- Long-time Cambata employee had filed an RTI request demanding financial and regulatory information about the company from the Income Tax department, but was denied on the grounds that it was personal information.
- On appeal, the I-T Department had asked Cambata permission to release the information, but was promptly denied.

CIC ruling:

- Last week, the CIC ruled that the information must be released, keeping in mind the larger public interest of not just Cambata employees, but those of Jet Airways and the defunct Kingfisher Airlines as well.
- It was ruled that the exemption given to "personal information" under the RTI Act referred to an individual human being and not a corporate entity.
- It was also added that the details sought were in the larger public interest of the company's employees.
- "The issue of non-payment of salary/ wages and other statutory dues to employees was certainly a grave matter which could not be brushed aside especially taking into consideration the turmoil and hardships faced by similar employees of Companies such as Kingfisher Airlines and recently Jet Airways, which were once considered as behemoths of the Civil Aviation Sector/ Industry in the wake of the losses incurred by such companies," said the ruling.

2. SC seeks replies from Centre, J&K on highway traffic ban**Context:**

A government in a notification had stated that the national highway from Baramulla to Udhampur in Jammu and Kashmir has been put out of bounds for civilian traffic twice a week till 31st May

Why was the ban being implemented?

- The Jammu and Kashmir government cited security concerns—emanating from the Pulwama suicide bomb attack that killed 40 CRPF personnel on February 14 on the highway—as the reason to restrict civilian traffic.
- The state government in an order said that, keeping in view the Pulwama terror attack, another car bomb attack on security forces' convoy at Banihal and movement of forces during the Lok Sabha elections, no civilian traffic movement would be allowed on the NH stretch

Issue:

- The Jammu and Kashmir High Court had issued a notice to the state administration in response to a petition filed by the political parties of J&K. The petition was filed against the ban on civilian traffic along the Udhampur-Baramulla highway.
- The petitioner has argued that the order announcing the ban violates the fundamental rights of citizens, including those to life, health, education and livelihood.
- The plea alleged that the "absurd and draconian decision" to restrict civilian traffic movement on the 270 km stretch on the highway.

Impacts of the ban:

- The ban directly affects lives of lakhs of people and also has indirect economic and social impact.
- The order would result in offices, schools, colleges, banks, airports, railway stations shut every two days a week.
- The prohibition on civilian traffic on the highway will have a “disastrous impact” on the tourism industry

Recent development:

The Supreme Court has sought responses from the Centre and **Jammu and Kashmir** on the plea seeking quashing of an order which restricts civilian traffic two days a week on the national highway (NH) stretch from Udhampur to Baramulla for movement of security forces.

Category: INTERNATIONAL RELATIONS

1. U.S. ends waiver for India on Iran oil

Context:

U.S. Secretary of State announced that the U.S. will not renew exemptions from its sanctions for importing oil from Iran. President Donald J Trump has decided not to reissue Significant Reduction Exceptions (SREs) when they expire in early May.

Background:

- A six-month waivers from economic penalties were granted by the U.S. to the eight main buyers of Iranian crude - China, India, Japan, South Korea, Taiwan, Turkey, Italy and Greece - to give them time to find alternative sources and avoid causing a shock to global oil markets.
- The exemptions were granted last November for a 180-day period and are due to expire on May 2.
- This decision is intended to bring Iran's oil exports to zero, denying the government its main source of revenue.

Details:

- India, China and U.S. allies Japan, South Korea and Turkey will be the most impacted by the non-renewal of waivers.
- The other three currently exempted countries — Italy, Greece and Taiwan — have already reduced their imports to zero.
- The sanctions have provided the U.S. an opportunity to put more of its own crude on the market.
- The Trump administration hopes to compel Iran to negotiate a "new deal" that would cover not only its nuclear activities, but also its ballistic missile programme and what officials call its "malign behaviour" across the Middle East.
- The sanctions have led to a sharp downturn in Iran's economy, pushing the value of its currency to record lows, quadrupling its annual inflation rate, driving away foreign investors, and triggering protests.
- The decision will not only mean maximum pressure on Iran but also maximum pressure on oil markets.

How will it impact India?

- China and India are currently the largest importers of Iranian oil. If they don't go along with Trump's

demands, that could cause tensions in both bilateral relationships and spill over into other issues, like trade

- India, which imports four-fifths of its oil, depends on Iran as one of its main suppliers.
- The recent decision could have an immediate effect on Indian financial markets if it causes oil prices to jump.
- Apart from oil imports, India will also have to navigate a waiver for development of the Chabahar port which is of critical strategic importance to New Delhi.
- Though India has agreements with many countries regarding oil India's energy security and future energy policy needs to be decided following a discussion with all stakeholders, including the oil companies.

C. GS3 Related

Category: ECONOMY

1. Digital infra to play key role in reviving economy

Context:

Aadhaar is the underlying technology for various public domain digital services, says Nilekani, chief architect of Aadhaar.

Details:

- The Aadhaar has worked as a digital infrastructure backbone helping governments in India to roll out several real-time initiatives and service delivery capabilities for citizens and enterprises alike, said Nandan Nilekani.
- The Aadhaar, serving as an electronic know-your-customer (KYC) tool, has triggered massive customer additions in the country's financial and telecom sectors and similar explosive growth is expected across other segments as well in the years to come.
- Once data becomes the basis for decision-making across businesses, the country will witness dramatic transformation and growth. Data, globally, is becoming central to individual citizens and governments.
- With Aadhaar, many elements of the digital infrastructure have been created. "[Aadhaar is] now critical for opening a bank account, to get a mobile connection or to buy a mutual fund.
- Earlier, KYC used to be a cumbersome process, and therefore, opening a bank account or getting a new phone connection used to be a tough affair. Also, with digital signature becoming a reality, identity verification and other credential checks are now being done real-time and as a result, banks are able to sanction loans in hours.
- The country already has over a billion bank accounts that are Aadhaar number linked.
- It makes transferring of funds easier and the country conducts over four billions financial transactions. In addition, Aadhaar based e-KYC have made LPG subsidies, MNREGA payments, farmer subsidies and pensions corruption-free and seamless.
- Aadhaar e-KYC has been revolutionary in making life simpler for people and India now has the infrastructure to deal with direct benefits transfers (DBT) in any segment,

Know more about Aadhaar

<https://www.youtube.com/watch?v=zsSCpgppKz8>

Category: ENVIRONMENT AND ECOLOGY

1. Earth Day: saving the planet may cost \$100 billion per year

Context:

On the occasion of Earth Day, scientists have proposed a policy to prevent another mass extinction event. It includes a new science policy proposal to reverse the global warming.

Details:

- Saving the diversity and abundance of life on the earth may cost \$100 billion a year, say scientists who have proposed a policy to prevent another mass extinction event on the planet.
- There have been five mass extinctions in the history of the earth. Scientists now estimate that society must urgently come to grips this coming decade to stop the very first human-made biodiversity catastrophe.
- A bold new science policy proposal to reverse the tide, called “A Global Deal for Nature” (GDN) has been published. The policy’s mission is to save the diversity and abundance of life on the earth — for the price tag of \$100 billion a year.
- Societal investment in the GDN plan would, for the first time, integrate and implement climate and nature deals on a global scale to avoid human upheaval and biodiversity loss.
- While the 2015 Paris Climate Agreement was the first major accord to take global action toward climate change policies, the international team of GDN scientists believe a similar companion pact is desperately needed to implement the very first global nature conservation plan to meet these challenges.

Global Deal for Nature:

- The Global Deal for Nature is a time-bound, science-based plan to save the diversity and abundance of life on Earth.
- The study outlines the guiding principles, milestones and targets needed to avoid the extinction threats of a two degrees Celsius warming forecast.
- “Achieving the milestones and targets of the Global Deal for Nature is the best gift we can offer to future generations—an environmental reset, a pathway to an Eden 2.0,” said Eric Dinerstein, of the U.S.-based nongovernmental organisation Resolve.

2. Why displacement due to river erosion not a poll issue, ask villagers

Context:

Several villages in central Bengal have disappeared under Ganga water, but no efforts have been made to arrive at a solution.

Details:

- The village Hossainpur, has disappeared. Last October, the village with about a thousand voters was devoured by the Ganga displacing all.
- Many thousand villages in central Bengal have disappeared or gone to other States due to river erosion over the last four decades.
- About two lakh Bengalis became residents of Jharkhand as the river moved towards Bangladesh, giving birth to new floodplains in Jharkhand.
- Construction Farakka Barrage, nearly five decades ago, has been blamed for excessive siltation causing large-scale flooding and erosion.
- Experts have reported on many occasions that the barrage allows the water to flow but the silt drops on the riverbed. Such siltation raises the height of the riverbed, washing away the villages year after

year.

Displacement and loss of land:

- Land, the most important asset possessed by any rural household, forms the basis of economic and social identity of the household. The bank erosion rendered the households landless and homeless and the families face involuntary displacement
- Their hitherto primary occupation, agriculture, takes a fatal blow. While the development induced displacement tend to displace people once, the families affected by bank erosion are subjected to multiple displacement.

Loss of Livestock:

- The loss of land and the resulting displacement also reduces the livestock holding.
- Livestock is usually seen as a liquid asset on which the rural household can fall back during times of crisis.
- But as agricultural land is lost to the river, the availability of fodder also gets reduced. Hence keeping livestock becomes an expensive proposition.

Occupational insecurity:

- The landlessness among the bank erosion affected community breeds certain kind of occupational insecurity.
- As people are forced to move out of agriculture and get engaged in labor or small business, there is an increased demand for family labor.
- The demand increases with the increase in the size of the household.
- In the absence of proper skill training, a large number of the affected people, who are also young, are forced to enter the unorganized labor market and undertake migration. This disrupts the normal functioning of a household.
- Children are often the prime victims of this because they have to dropout from schools following the relocation of the household

Conclusion:

There is a pressing need for declaring riverbank erosion as a disaster. The action on bank erosion is currently restricted to bank strengthening through reinforced concrete or bamboo porcupines. But one a people-centric approach is the need, for addressing the problems emanating from river bank erosion that would contribute to the resilience building of the erosion-affected people through the provision of compensation, rehabilitation and an emphasis on human resource development amongst the erosion affected population through skill building initiatives.

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Nothing here for today!!!

E. Editorials

Category: SCIENCE AND TECHNOLOGY

1. Down to earth on the ASAT test

Editorial Analysis:

- India recently carried out a successful test of an Anti-Satellite (ASAT) weapon, launching an interceptor missile from the Balasore range in Odisha to hit a live satellite in Low Earth Orbit.
- As a consequence to this development, India became the fourth country in the world to develop an ASAT capability.
- Having said this, some experts take the opinion that the successful test of an Anti-Satellite (ASAT) weapon isn't much of a game-changer.

Misplaced Triumphalism?

- Some experts opine that an ASAT test is hardly a game-changer as far as space warfare is concerned.
- These experts assert that the element of triumphalism around the success of the Anti-Satellite (ASAT) weapon is misplaced.
- India has, no doubt, sought to reassure the global community that it has not violated any international treaty or understanding with this test.
- India has also taken great pains to advertise the fact that the international community, especially the U.S., had not faulted India for carrying out this test, in marked contrast to what had happened when China had carried out an ASAT test in 2007. Nevertheless, it would be superficial to think that the world endorses India's claims regarding its peaceful intentions.

The Timing of the Test:

- India's demonstration of the ASAT capability comes a little more than a decade after China's, and nearly six decades after that of the U.S. and Russia.
- It is important to note that an ASAT test is, undoubtedly, less threatening than a nuclear explosion, but the world is likely to ask why India decided to demonstrate its capability at this time, though it possessed the ability much earlier. The implications of carrying out a test of this nature, as also the concerns that previously existed about doing so, are no secret from the global community of space experts.
- **Why India chose to 'cross the Rubicon' by testing an ASAT weapon at this juncture is, hence, likely to cause consternation among many, given the tacit agreement among nations not to weaponise outer space.**
- The international community cannot be faulted if it were to think that India had deliberately breached an unwritten convention against weaponisation or militarisation of outer space.
- **ASAT capabilities are generally perceived as integral to ballistic missile defence programmes.** This clearly identifies an ASAT test as a military programme. In turn, it implies an intention to embark on weaponisation of outer space.
- It is, perhaps, for this reason that countries such as Israel and France, which are believed to have this capability, have so far refrained from carrying out such tests.

Cold War phenomenon:

- Given the hype surrounding ASAT weapons, it is relevant to mention that their strategic importance in providing effective deterrence in space is highly debatable today.
- **ASAT was essentially a Cold War phenomenon whose strategic importance has declined over the years.** Currently, none of the other three countries which possess an ASAT capability extol its strategic value and importance.
- **The U.S., Russia and China, all seem to demonstrate less and less interest in pursuing ASAT weaponry.**
- **These countries are increasingly focussing on laser and cyber capabilities** to achieve the objective of neutralising killer satellites.
- Today, countries are experimenting with **directed-energy weapons, radio frequency weapons, etc.**

rather than concentrating on shooting down satellites in space.

The Pakistan Perspective:

- It is again a moot point whether India's ASAT test, and its positioning as a critical element in India's strategic defence capability, will have the desired impact that the nation's leaders hope for.
- **It is almost certain, as was the case with India's nuclear test that Pakistan will immediately try to acquire the same capability, in all likelihood with generous assistance from China.**
- Experts opine that China can also be expected to become increasingly wary of India's intentions in space, and take appropriate counter-measures.
- Having said this, the bottom line is that by carrying out the ASAT test, India has neither achieved a higher level of deterrence nor is it likely to lead to a more stable strategic security environment.
- **India would, hence, do well to play down the military objective of its ASAT test**, all the more so given that the Indian Space Research Organisation (ISRO) recently indicated that it has, of late, carried out certain new launches such as the Microsat-R and EMISAT satellites which are intended for 'strategic use'. More 'defence satellites' are reportedly in the offing. This could only fuel concerns about where India is headed.
- Countries not too well disposed towards India such as Pakistan and China — and perhaps some others as well — may well be carried away by our professed capabilities, and be inclined to fear the worst. This could give a country such as Pakistan 'itchier trigger fingers'.

Concerns Emanating from the Neighbourhood:

- **Based in one of the most dangerous neighbourhoods in the world, India needs to do everything in its power to convince other nations that space is not part of India's overt defence calculations.**
- Instead, India should highlight the fact that its enormously successful space programme, unlike those of many other countries, is notable for being conceived and implemented as a civilian programme, quite distinct and separate from any military programme or objective. It is this which distinguishes India's space programme from that of countries such as the U.S., Russia and China.
- India's space programme — totally civilian in nature — was conceived back in the 1960s. ISRO was set up in 1969, and the Space Commission came into existence in the early 1970s.
- Vikram Sarabhai is credited with creating India's vision for exploration of space and, following his untimely demise in 1971, the mantle fell on Satish Dhawan.
- **It would be useful to stress that both Sarabhai and Dhawan, especially the latter, were particular that India's space programme should steer clear of any military dimension**, and that it should solely concern itself with communications, weather forecasting and the like. Consequently, India's space programme had always steered clear of any military objectives.
- India's achievements in space have been many and it has several milestones to its credit.

A Brief Look at ISRO's Milestones:

- ISRO launched its first Indian satellite, Aryabhata, in April 1975.
- In April 1982, ISRO launched the first Indian National Satellite System (INSAT-1A).
- The first Geosynchronous Satellite Launch Vehicle (GSLV) took off from Sriharikota in 2001.
- In October 2008, ISRO launched Chandrayaan-1, the first Indian planetary science and exploration mission to the moon.
- In November 2013, ISRO launched the Mars Orbiter Mission (Mangalyaan) spacecraft. Since then there have been many more launches.

Concluding Remarks:

- It is critically important for those in authority to scrupulously adhere to the peaceful mission as

espoused by Sarabhai and Dhawan and dispel any notions that India is keen to embark on weaponisation and militarisation of outer space.

- India should remain committed to the non-military applications of space.
- Lastly, experts point out that there is little strategic advantage accruing from an ASAT test; on the other hand the damage that could be caused to India's image as a peaceful and responsible nation intent on, and committed to, peaceful uses of space could be immense.

Category: SOCIAL JUSTICE

1. A half-written promise (sexual and reproductive rights of women)

What's in the news?

- The 2019 general election has brought to the forefront hotly contested political issues and promises.
- However, **one area of reform that has just not been an important electoral issue is the sexual and reproductive rights of women.**

Editorial Analysis:

- Experts point out that while all major parties make some piecemeal promises to women, the recognition of sexual and reproductive rights is almost negligible. This is despite the recent progressive legal work in courts.

Examining the fine print:

- Experts point out that it is revealing to examine the narrow ways in which political parties have addressed reproductive rights.
- A look at a few examples:
 1. the Congress manifesto says the party will pass suitable legislation to make registration of marriages compulsory and to enforce the law prohibiting child marriages.
 2. The Bharatiya Janata Party's manifesto says it will ensure that all reproductive and menstrual health services are easily available to all women across India. Further, with the expansion of the **Suvidha scheme**, sanitary pads at a cost of ₹1 will be provided to all women and girls.
 3. The CPI(M) has promised to make marital rape an offence and to ensure strict implementation of the **Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (PCPNDT) Act, which prohibits sex determination tests and female foeticide.**

Experts highlight the need for a much broader view under which reproductive rights should be understood in India.

It is important to note that sexual and reproductive rights in India must include:

1. a concern with maternal deaths,
2. access to maternal care to safe abortions,
3. access to contraceptives,
4. adolescent sexuality,
5. prohibition of forced medical procedures such as forced sterilisations and
6. removal of stigma and discrimination against women, girls and LGBTI persons on the basis of their gender, sexuality and access to treatment.

Data on India:

- **India has among the highest number of maternal deaths worldwide (which UNICEF India and World Bank data put at an estimated 45,000 maternal deaths every year, or an average of one maternal death every 12 minutes).**
- Further, unsafe abortions are the third leading cause of maternal deaths in India.
- **Research by Susheela Singh and others (The Lancet, January 2018) shows that half the pregnancies in India are unintended and that a third result in abortion. Only 22% of abortions are done through public or private health facilities.**
- Lack of access to safe abortion clinics, particularly public hospitals, and stigma and attitudes toward women, especially young, unmarried women seeking abortion, contribute to this.
- It is important to note that **doctors refuse to perform abortions on young women or demand that they get consent from their parents or spouses despite no such requirement by law.**
- As a consequence, this forces many women to turn to clandestine and often unsafe abortions.

The Medical Termination of Pregnancy Act, 1971:

- The Medical Termination of Pregnancy Act, 1971 provides for termination only up to 20 weeks. If an unwanted pregnancy has proceeded beyond 20 weeks, women have to approach a medical board and courts to seek permission for termination, which is extremely difficult.
- Experts point out that **the MTP Act is long overdue for a comprehensive reform.**

The Supreme Court: A Beacon of Hope

- The Supreme Court, on the other hand, has been extremely progressive on women's reproductive rights.
- The court in **decriminalising adultery** and in the **Navtej Johar judgment striking down Section 377** held clearly, that women have a right to sexual autonomy, which is an important facet of their right to personal liberty.
- In the landmark **Puttaswamy judgment** in which the right to privacy was held to be a fundamental right, the Supreme Court held: **"Privacy includes at its core the preservation of personal intimacies, the sanctity of family life, marriage, procreation, the home and sexual orientation... Privacy safeguards individual autonomy and recognises the ability of the individual to control vital aspects of his or her life."**
- In the case of *Independent Thought v. Union of India* in the context of reproductive rights of girls, Justices M.B. Lokur and Deepak Gupta held, **"The human rights of a girl child are very much alive and kicking whether she is married or not and deserve recognition and acceptance."**

The Importance of these judgements:

- It is important to note that **these judgments have an important bearing on the sexual and reproductive rights of women.**
- **The right of women and girls to safe abortion is an important facet of their right to bodily integrity, right to life and equality and needs to be protected.**
- As a matter of fact, political parties, which also represent India's women, have an obligation to take forward the debates on reproductive rights, equality, and access to abortion in political debates as well as in framing laws and policies.
- The responsibility also lies with civil society to bring up these issues for public debate.

Concluding Remarks: The need for Safe abortions

- The silence around unsafe abortions is leading to deaths of women and hides important problems that lie at the intersection of these concerns, such as the formidable barriers for adolescent girls to access

reproductive health services, including abortion services.

- **The right to safe abortion is an important political issue that must be addressed and widely debated, particularly if parties and leaders are committed to women's human rights.**
- Finally, access to legal and safe abortion is an integral dimension of sexual and reproductive equality, a public health issue, and must be seen as a crucial element in the contemporary debates on democracy.

Category: INTERNATIONAL RELATIONS

1. Line of caution

Perspective Taken:

This editorial takes the view that the suspension of cross-LoC trade will cause hardship and must be revoked.

Editorial Analysis:

- Experts point out that the Central government's decision to suspend trade across the Line of Control between Jammu and Kashmir and Pakistan-occupied Kashmir is bad in conception, and comes at a particularly fraught time.
- Recently, the Ministry of Home Affairs announced the suspension from midnight of trade at the two designated points at Salamabad and Chakan-da-Bagh, citing concerns about "illegal weapons, narcotics and fake currency" being transported into India.
- It is also being argued that the zero-tariff barter arrangement is being violated through under-invoicing and the exchange of third party items such as U.S.-origin California almonds.
- The first is presumably a way to transfer funds; and the second would be to exploit the zero-tariff trade, something brought up by traders who operate via the Wagah border.

Concerns Espoused by the Government:

- The government's concerns may be well-founded, but the solution to violations of a trade agreement is to enforce the rules stringently, not stop exchange of goods and put at risk the livelihood of countless people on both sides of the LoC.
- At a protest in Srinagar against the trade suspension, for instance, a leader of the cross-LoC traders association argued that they had, in fact, themselves been seeking a "foolproof mechanism" to enforce the terms of the agreement.

Importance of cross-LoC trade:

- The benefits to the local economies from the cross-LoC trade are beyond doubt.
- **It is estimated that since the barter trade commenced along two routes across the LoC in October 2008, employment to the order of more than 1.6 lakh days had been created.**
- The volume of trade over the decade has crossed ₹6,000 crore.
- It must be kept in mind that the trade is mostly of local goods, and those employed, including in the transportation, are from border communities.
- It is important to note that the opening of cross-LoC trade was among the confidence-building mechanisms that followed the 2003 India-Pakistan ceasefire along the line, and that included a bus service between Srinagar and Muzaffarabad (in PoK).

Concluding Remarks:

- Critics opine that the hope of the mid-2000s that people-to-people contact between those living in J&K and PoK would over time become obstruction-free has, for now, faded.
- Critics opine that the current suspension comes in the course of a shrill election campaign that the ruling BJP is relentlessly pulling towards its hard line on subjects such as **Article 370** on the **special status of J&K**. They further assert that the government has sent unsettling signals by **closing the National Highway between Udhampur and Baramulla to civilian traffic for two days a week** to secure the movement of troop convoys.
- In conclusion, to now summarily suspend LoC trade is to invite suspicion that the step has been taken without careful consideration of the consequences and also for political reasons. The suspension must be urgently revoked.

Category: POLITY AND GOVERNANCE

1. The court is not above the Constitution

What's in the news?

- In the midst of the political turmoil of a testing election season, a former junior court assistant at the Supreme Court sent copies of a sworn affidavit to 22 judges of the Supreme Court alleging sexual harassment by the Chief Justice of India and intimidation of her family members.
- Aspirants are advised to read this topic in view of the Ethics, Integrity and Aptitude (GS-Paper 4) section of the examination as well.

Editorial Analysis:

The nature of the allegations:

- The nature of the allegations is serious, and for a lesser citizen, it would prima facie have set the ball rolling on investigations, inquiries and appropriate actions by duly appointed committees.
- Experts opine that the fact that this is the correct course of action need not in this case detract from the **cardinal principle of criminal law on the burden of proof — innocent until proven guilty**.

What did the complainant outline?

- In her affidavit, the complainant spoke of specific incidents, harassment of a specific nature, and against a specific person.
- Nothing in her sworn affidavit can on the face of it be construed as a general derogatory statement of the Supreme Court as an institution, nor as the general behaviour of judges of the Supreme Court.
- It is important to note that **if there is an allegation against a specific person who occupies a high office, it is not an assault on the office**. Construing it as such would pave the way to arbitrariness and impunity, and would undermine the Constitution that binds the court in irredeemable ways.
- On the other hand, it is possible that a thorough, impartial and fair investigation that is mindful of the asymmetries of power between the complainant and the respondent might find the complaint without basis. Instead, we find the first response on behalf of the respondent taking easy resort to “criminal antecedents” of the complainant and her family, as if that by itself negates the possibility of her being subjected to sexual intimidation. To derail the mere possibility of fair procedure is unacceptable by any standards.

The Immediate Response:

- The immediate response of the Secretary General of the Supreme Court to the affidavit goes along predictable lines: “The allegations... are completely and absolutely false and scurrilous and are

totally denied... The motive... is obviously mischievous... It would be extremely relevant to mention that the concerned individual and her family have criminal antecedents... It is not only mischievous but a complete afterthought (sic) of her to make these false allegations at this time... In fact there were complaints made against her... to the Secretary General on account of her inappropriate behaviour... Apart from the misconduct formally recorded, there were other counts of misconduct on her part... Its (sic) is also very possible that there are mischievous forces behind all this, with an intention to malign the institution.”

- At a special hearing, Justices Arun Mishra and Sanjiv Khanna declared: “Having considered the matter, we refrain from passing any judicial order at this moment leaving it to the wisdom of the media to show restraint, act responsibly as is expected from them and accordingly decide what should or should not be published as wild and scandalous allegations undermine and irreparably damage reputation and negate independence of judiciary. We would therefore at this juncture leave it to the media to take off such material which is undesirable.” The CJI was not one of the signatories, although he was present and spoke at the hearing.

Reaction by Legal Circles:

- It is important to understand that although this issue has sent a shudder all around and gasps of disbelief and shock, **the manner in which the complaint has been received and handled by sections of the Bench and sections of the Bar has been disconcerting to many in the legal profession.**
- The Bar Council of India’s statement is noteworthy: “The cock and bull story has been cooked up to plot some big conspiracy against the institution. Bar is fully standing with our CJI and the Judges of Supreme Court.”
- The fact is that the Bar Council of India does not speak for all lawyers in the country, as the response of the Women in Criminal Law Association (WCLA) makes evident.
- The WCLA published a detailed statement demanding a free and fair investigation by a panel that excluded the three judges who constituted the Bench in the first sitting and demanded that the CJI not hold office till the inquiry is completed.
- **The Supreme Court Advocates on Record Association and the Executive Committee of the Supreme Court Bar Association passed resolutions on April 22 disapproving the manner in which the complaint was dealt with and asserting the urgency of an independent impartial inquiry.**
- These resolutions must be viewed in the light of conspiracy theories alluded to by the Bar Council of India and Finance Minister Arun Jaitley’s statement that this was the work of “institution destabilisers” who represent “Left or ultra Left views”.
- **Some experts opine that this attempt to impute a conspiracy jeopardises the security of the complainant, her family and anyone who provides support in securing redress.**
- The court is unlike other institutional settings. It is important to note that **the Supreme Court is sequestered and the constitutional office of the Chief Justice of India is deemed sacred and inviolable.** The argument is that an independent judiciary is indispensable to check arbitrariness on the part of the legislature and government.

Concluding Remarks:

- **What is often forgotten is that an independent judiciary also importantly acts as a check on itself, and must apply the principles of natural justice and fair procedure to itself with greater rigour than it would to the parties that appear before the court.**
- **The expectation of citizens is that the court will lead by example, not by arbitrary diktat.**
- The expectation also is that constitutional morality will guide the court, especially the Justices of the court, at all times; **the constitutional presumption is that the court is not above the Constitution.**
- It is important to note that the Supreme Court of India, in the judgment on the right to privacy, observed unequivocally that judges have in the past erred in judgment, in an understanding of their

powers and in their understanding of the Constitution and the rule of law.

- It is the thin line of judicial dissents that has moved centre stage in our understanding of India's constitutional history today.
- For, after all, to borrow in part from Justice Chandrachud, **judicial dissent is the safety valve of constitutionalism**. And dissent must be seen to be done. The time is now.

Category: ECONOMY

1. Impact of crude oil price rise on the Indian rupee

Note to Students:

- This article is taken from the Indian Express, and was published on the 23rd of April, 2019.
- Further, it is not important to remember dates and figures, but to understand the larger dynamics at play involving rising crude oil prices and its impact on the Indian Economy.

Editorial Analysis:

What is leading to the rise in the price of Brent crude? What is the impact on the rupee?

- Brent crude rose to an intra-day high of \$74.31 per barrel on 22nd April, 2019, and was trading at \$73.7 per barrel, up \$1.7 or 2.4%, from its previous closing.
- The Indian rupee fell 31 paise against the dollar, and was trading at \$69.67.
- It is important to note that **a rise in the price of crude oil hurts the economy because crude accounts for a significant portion of India's overall imports**.
- If crude rises further, it will not only impact the stability of the rupee and the rise in stock markets, but may also produce an inflationary effect.

What is leading to the rise in the price of Brent crude?

- The recent spike in prices (on 22nd April, 2019) followed reports that the United States will stop granting sanction waivers to any country importing Iranian crude or condensate beginning May 2, 2019.
- While the spike in prices was on account of this report, crude oil prices have been rising steadily since March, 2019 on concerns over supply from OPEC, and the US sanctions on Venezuela.
- It is important to note that over the last two months, Brent crude prices have risen 14.7% from a level of \$64.76 per barrel on February 25, 2019 to \$74.31 on 22nd April, 2019, marking the highest price levels in nearly six months. Brent crude closed at \$75.47 per barrel on October 31, 2018.

What is the impact on the rupee? Could it weaken further?

- It is important to note that inflow of funds from foreign portfolio investors led to a strong recovery in the rupee between January and March 2019.
- However, the rupee has been rising against the dollar since the reversal in the trend of crude prices.
- **If Brent continues to rise, the rupee is likely to face additional pressure.**
- While expectations of weakening global growth may temper its rise, **the news of the end of waivers for the Iran sanctions has spooked the market.**

Influencing the movement of the Rupee:

- **Crude has traditionally been a big determinant of the way the rupee moves.**
- In October 2018, the rupee fell to an all-time low of 74.34 against the dollar in line with rising oil

prices. Brent crude had hit a level of \$86 per barrel in October 2018, putting pressure on the rupee and on India's current account deficit.

- However, as crude prices declined over the following months to levels of around \$52 per barrel by the end of December 2018, it offered relief to both the rupee and the economy.
- **A weak rupee hurts the country on account of the higher import bill and current account deficit, and also tends to be inflationary.**
- As a matter of fact, the Reserve Bank of India will be watching the movement of crude and domestic inflation before going for another rate cut this year (2019).

Does the US decision on Iran hurt India's imports?

- In the 10-month period between April 2018 and January 2019, India imported \$97 billion worth of petroleum oil and oil obtained from bituminous minerals crude.
- Almost 11.2 per cent of petroleum oil, worth \$10.9 billion, were imported from Iran.
- **The US decision to end waivers for countries importing crude from Iran beginning May 2, 2019 may hurt India's interests, as it will have to look for alternative sources of oil.**
- It is important to note that **the US sanctions on Venezuela are already restrictive for India.**
- From April 2018 to January 2019, India imported almost 6.4% of its requirement from Venezuela.
- If both countries are now pushed out of India's equation, almost 17.6% of its total imports will be impacted.
- **Also, if the total supplies from these two big oil exporters is kept out of the market, it will lead to a supply crunch, and likely increase in overall crude oil prices.**

What are the other sources of crude oil for India?

- While Iraq is the biggest exporter, Saudi Arabia is a close second, and both of them account for 38% of India's total petroleum imports.
- UAE and Nigeria together account for 16.7%.
- However, the biggest change has been the entry of the US as a major player.
- While it did not figure in the list of top 10 petroleum exporters for India in 2017-18, **in the 10 months of FY'19, the US stood at number 9 with an over 3% share of India's petroleum imports.**

F. Tidbits

Nothing here for today!!!

G. Prelims Facts

Nothing here for today!!!

H. Practice Questions for UPSC Prelims Exam

Q1) Consider the following statements with respect to Aegean Sea

1. It is located between Greece and Turkey.
2. It is connected to the Marmara Sea through the Dardanelles Strait.

Which of the following statement/s is/are correct?

a. 1 only

- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer: c

Explanation:

Self-explanatory. Aegean Sea is in news as the scientists have used EU satellite to spot Aegean sea litter.

Q2) The "Ilbert Bill Controversy" can be linked to which of the following viceroys?

- a. Lord Hardinge
- b. Lord Rippon
- c. Lord Lytton
- d. Lord Curzon

Answer: b

Explanation:

Ilbert Bill controversy : In 1883, the Ilbert Bill was introduced which gave Indian judges the power to hear cases against European, by the then Viceroy Lord Ripon and Sir Courtenay Ilbert, the legal advisor to the Council of India. But there was a huge outcry against this bill from Britishers in India and in Britain. Arguments made against this bill displayed the deep racial prejudice the English had for Indians. This also exposed the true nature of British colonialism to the educated Indians.

Q3) 'Abhinav Bharat Society' was founded by:

- a. V D Savarkar
- b. Bhagat Singh
- c. Prafulla Chaki
- d. Barindra Kumar Ghosh

Answer: a

Explanation:

The revolutionary organisation 'Abhinav Bharat Society' was founded in 1904 by VD Savarkar.

Q4) Consider the following statements:

1. The theme for Earth Day 2019 is 'Protect Our Species'.
2. The Earth Day was first celebrated in 2017.

Which of the following statement/s is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer: a

Explanation:

- Every year, April 22nd is celebrated as Earth Day. The Earth day is conducted in more than 192 countries around the world. The Earth Day is expected to display backing for conserving the environment.
- UNESCO Conference held in 1969 recommended selecting March 21st, 1970 as the first Earth Day.
- The United States chose to celebrate a separate Earth Day on April 22nd annually. Later this date became the internationally accepted Earth Day in 1990.
- There are also several communities that are backing environmental issues by celebrating Earth Week.
- The theme for Earth Day 2019 is 'Protect Our Species'. It aims to draw attention to the rapid extinction of species across the world, which is directly linked to human activity which causes climate change, deforestation and pollution.

I. UPSC Mains Practice Questions

1. Along with getting a go ahead from the Censorship Board, a film must also satisfy all kinds of religious fringe elements. It is believed that religion has taken over all the aspects of life. Critically comment. (15 Marks 250 Words)
2. Why has the adoption of solar thermal been tepid relative to its potential even though the use of solar heat in industries is not uncommon? Bring out the advantages of Solar Thermal over Solar photovoltaic. (15 Marks 250 Words)