

07 Dec 2019: UPSC Exam Comprehensive News Analysis

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Category: ECONOMY

1. Exporters await clarity on levies

Context:

The Government of India (GoI) has introduced **Remission of Duties or Taxes on Export Product (RoDTEP) scheme** to replace the **existing Merchandise Exports from India Scheme (MEIS)**.

Details:

- The RoDTEP scheme will be **monitored by the Ministry of Finance (MoF)** and comes into effect from January 1, 2020.
- Both MEIS and RoDTEP are schemes designed to **incentivise exports from India by reducing duties paid on exports**. It will refund taxes and duties on exports thus providing an additional export credit.

The following are the other announcements covered under RoDTEP:

- The MEIS scheme will be applicable only until December 31, 2019.
- It will create a **fully automated procedure for Input Tax Credit (ITC) in GST** to avoid double taxation.
- MoF has allocated a budget of Rs.1,700 crore to **provide higher insurance cover through Export Credit Guarantee Corporation (ECGC)**, to increase the lending opportunities from banks.
- Privileged **Textile and other export sectors** that are applicable for an incentive of up to 2% of MIES shall be replaced with RoDTEP scheme.

Concerns:

- Plastic exporters from the MSME sector have demanded **clarity on MEIS for certain categories of products that overlap between plastics and textile sectors**.
- Since MEIS on the textile sector has been stopped, exporters who deal in both plastics/chemicals and textiles (which are inter-connected) are facing problems in terms of getting refunds and incentives.

2. Saudi, Russia push through deeper oil cuts

Context:

Saudi Arabia and Russia have spearheaded a deal in which the Organization of the Petroleum Exporting Countries (OPEC) and its allies have committed to **oil output cuts to avert oversupply and support prices.**

Details:

- The deal represents the latest successful policy effort by the 24 member super cartel, informally referred to as **the 'Vienna Group' or 'OPEC+',** in the global oil markets.
- **OPEC's 14 members control 35 percent of global oil supplies and 82 percent of proven reserves.** With the addition of the **10 Non-OPEC nations, notable among them Russia, Mexico and Kazakhstan,** the share increases to 55 percent and 90 percent respectively.

3. Audit for FDI norms must for e-com firms

Context:

The government has issued new rules that make it compulsory for **e-commerce companies with foreign investments to submit an audit report every year,** showing that they have been in **compliance with the Foreign Direct Investment (FDI) rules for the sector.**

Details:

According to a notification **amending the Foreign Exchange Management Act (FEMA), 1999** e-commerce companies have to obtain a statutory auditor report by the end of September each year for the preceding financial year.

Background:

- **The Department of Industrial Policy & Promotion (DIPP)** in 2018 issued a clarification to the existing **rules pertaining to FDI in e-commerce companies.**
- One of the main provisions clarified was that **vendors that have any stake owned by an e-commerce company cannot sell their products on that e-commerce company's portal.**
- Another provision said, any vendor who buys 25% or more of its inventory from an e-commerce group firm will be considered to be controlled by that firm and thereby barred from selling on its portal.
 - This provision was aimed at ensuring vendors in which marketplaces, such as

Amazon, have a stake do not sell the bulk of their items to a third-party vendor who then goes on to sell those items on Amazon's marketplace.

- The rules were also designed to ensure that the e-commerce marketplaces themselves did not **influence the prices of the products on sale by providing deep discounts**.

Category: ENVIRONMENT AND ECOLOGY

1. Centre objects to Uttarakhand's definition of forest

Context:

The Union Ministry for Environment and Forests (MoEF) has objected to a Uttarakhand government's notification defining the term 'forest'.

Details:

- In a notification, the Uttarakhand government said that in areas recorded as "deemed forest", only tracts of 10 hectares and more, and having a canopy density of greater than 60%, would be considered as forests.

Background:

- The judgement of the Supreme Court (SC) of India in the matter of **N. Godavarman Thirumulkpad Vs Union of India & Others** was regarding the **true scope of the Forest Conservation Act, 1980** and the **meaning of the word "forest" used therein**.
- The SC, in its judgment, had **broadened the definition of the forest** to include not just land classified as forest under forest or revenue departments, but also those that are forests according to the definition of a forest.
- SC had asked states to form committees to identify forests, irrespective of the nature of land ownership or whether they are notified, recognised or classified in a time-bound manner.
- **Deemed forests, which comprise about 1% of India's forest land**, are a controversial subject as they refer to land tracts that appear to be a "forest", but have not been notified so by the government or in historical records.

Concerns:

- It has been 23 years since the Supreme Court asked all states in the country to identify deemed forests, but their status in several states is still unclear.
- The uncertainty in identifying the forests has led to **forests and forest lands**

withering under "development" and encroachment.

- The MoEF's Forest Conservation division has held that the Forest (Conservation) Act, 1980 would be applicable to all areas recorded as forest in any government records, and has asserted that the Uttarakhand order was in "contravention" of the Supreme Court's orders.

D. GS4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY AND GOVERNANCE

1. Retributive justice

Context:

The four accused in Disha's murder killed in an encounter.

Details:

- The heinous rape and murder of a veterinarian in Hyderabad shook the collective conscience of India and resulted in an outcry for justice for the victim and outrage over the persisting lack of safety for women in public spaces.
- The societal pressure for justice invariably weighs upon legal institutions, as the police are required to find the culprits briskly and the judiciary to complete the legal process without undue delay.
- In spite of the public expectations, these institutions must uphold the rule of law and procedure even in such circumstances. The killing of the four accused of the rape and murder of the veterinary doctor by the Cyberabad police raises disturbing questions.
- **The National Human Rights Commission** has deputed a fact-finding team to Hyderabad to probe the incident.
- **The guidelines set by the Supreme Court** to deal with such events, including the need for an **independent investigation**, must be strictly observed to get to know the circumstances leading to the encounter.

Concerns:

- The increasing instances of sexual violence against women and the inability of the law to prevent this have led to a **perception that the legal institutions are ill-equipped to deal with such crimes and to bring the perpetrators to justice.**
- The police's claim that two of the accused snatched their weapons and fired at them

when the four had been taken to the crime scene to reconstruct the sequence of events late after midnight, and that they killed them in self-defense, stretches credulity.

- Though the existing laws on sexual crimes and punishment need a better application, a **recourse to brutal retribution as suggested by many is no solution**. On the contrary, the political sanction of “encounter killings” to deliver swift retribution would only be a **disincentive for the police to follow due process** and may even deter them from pursuing the course of justice.
- Far from ensuring justice to the victims, **bending the law in such cases would only undermine people’s faith in the criminal justice system**.

Conclusion:

- The jubilation seen on social media platforms and on the streets over the killings by the police stems from the public anger and anguish over the burgeoning crimes against women. This core issue needs to be dealt with.
- Justice in any civilized society is not just about retribution, but also about **deterrence**, and in less serious crimes, **rehabilitation of the offenders**.
- **Punishments must reinforce people’s faith in the rule of law**, not undermine it.

Category: ENVIRONMENT AND ECOLOGY

1. Climate warnings

Context:

United Nations Framework Convention on Climate Change’s 25th conference of parties beings in Madrid.

Details:

- Two important reports of the **Intergovernmental Panel on Climate Change (IPCC)**, on the impact of higher global temperatures on land, oceans and the cryosphere, lend further urgency to the task before countries now meeting in Madrid for the UN conference.
- The **IPCC scientists**, whose **research helps the international community decide on actions to reduce greenhouse gas emissions**, are worried that even under the most optimistic scenarios, human health, livelihoods, biodiversity, and food systems face a serious threat from climate change.

Concerns:

- In the case of oceans and frozen areas on land, **accelerated rates of loss of ice**,

particularly in Greenland, the Arctic and the Antarctic, will produce a **destructive rise in sea levels, increases in tropical cyclone winds, rainfall and extreme waves**, which when combined with relative sea-level rise, will exacerbate catastrophic sea-level events. All this will deal a blow also to the health of **fish stocks** which is a threat to food security.

- This is all the more significant for **countries with a long coastline, including India**. The local sea level anomalies that occurred once in a century may become annual events, due to the projected global mean sea level rise over the 21st century. This is an alarming scenario for the 680 million residents of **low-lying coastal areas**, whose population may go up to one billion by 2050, and for those living in **small islands**.
- Yet, planned emission cuts fall short of what needs to be done to contain global warming. **The existing Nationally Determined Contributions** filed under the Paris Agreement fall short and need augmenting. There is a **yawning gap between planned emissions cuts, and what needs to be done by 2030 to contain global temperature rise at 1.5°C**.

Need for action:

- The new IPCC assessment underscores the need for **unprecedented and urgent action** in all countries that have significant greenhouse gas emissions.
- It strengthens the case for **industrialized nations to provide liberal, transparent funding to developing countries under the Paris Agreement**, reinforcing the principle of **Common But Differentiated Responsibilities and Respective Capabilities**, and recognizing that rich countries reduced the carbon space available to the poor.
- The developed world will be focusing in Madrid on creating a **global system of accounting for emissions reductions**, introducing credible **carbon markets**, and making some of the gains from these markets available to developing nations to invest in green energy.
- The member-nations of the UN Framework Convention on Climate Change have been trying to finalize measures under Article 6 of the Paris Agreement to **commodify carbon emissions cuts and to make it financially attractive to reduce emissions**.
- Given that scientists have a high degree of certainty on losses that will arise from climate change, there must be steady progress on addressing damage and adaptation.

F. Tidbits

1. 'No Indian study links pollution to mortality'

- **The India State-Level Disease Burden Initiative (ISLDBI)** reported that **one in eight deaths in India were attributable to air pollution** and that the average life expectancy in India would have been 1.7 years higher, had the air pollution levels been less than the minimal level causing health loss.
- The ISLDBI studies are funded by the Union Health Ministry and involves the Public Health Foundation of India.

2. 'Police must be proactive on women's safety'

- Union Home Secretary Ajay Kumar Bhalla wrote to all States and Union Territories stating that it is "imperative that the police be easily accessible" and "able to **deal with any complaint of crime against women in a timely and pro-active manner**".
- Bhalla also asked the States to set up autonomous forensic units, adding that "**forensic evidence is critical to the delivery of justice**".
- The letter reiterated the Ministry's earlier directive to ensure "strict compliance" with the provision of "**zero FIR**" in the event of a cognizable offence like sexual assault.
 - A zero FIR can be filed at any police station, irrespective of the jurisdiction where the crime occurred, and later transferred to the police station concerned.
- States were also asked to "**monitor the completion of investigation in serious sexual offences cases in the prescribed two-month period**".
- The States were asked to regularly use the **National Database on Sexual Offenders (NDSO)** to facilitate a better investigation. The database has details of over 7 lakh sex offenders. The first-of-its-kind registry, launched in September 2018, is a database of all those convicted for sexual offences from 2005. It includes the names, addresses, photographs, and fingerprints of the convicts and can be accessed by police stations through common software.

G. Prelims Facts

1. Supreme Court judge calls for early legal aid to the poor

- **National Legal Services Authority of India (NALSA)** was formed on 9th November 1995 under the authority of the **Legal Services Authorities Act 1987**.
- Its purpose is to **provide free legal services to eligible candidates and to**

organize Lok Adalats for the speedy resolution of cases.

- The NALSA was constituted to promote an inclusive legal system to **ensure fair and meaningful justice to the marginalized** through effective representation and awareness of their rights.
- The Chief Justice of India (CJI) is patron-in-chief of NALSA while second senior most judge of Supreme Court of India is the Executive-Chairman.
- There is a provision for **similar mechanism at state and district level** also headed by Chief Justice of High Courts and Chief Judges of District courts respectively.
- **The prime objective of NALSA is speedy disposal of cases and reducing the burden of the judiciary.**
- The recently released **vision document for 2020 of the NALSA** focuses on strengthening and digitalising the basic units of legal aid like **legal services clinics**, strengthening legal services clinics in jails, preparing basic legal aid texts and booklets **in regional languages** in an attempt to empower the marginalised sections with the knowledge of their rights.

2. Gaping hole in gender-based violence redressal in Capital

- In 2012, post the 'Nirbhaya' case, a **corpus of Rs.10 billion (Rs. 1,000 crores), known as the 'Nirbhaya Fund'**, was announced as a policy measure in the 2013 Union Budget.
- The Fund is **administered by the Department of Economic Affairs of the finance ministry**. It was meant to support existing initiatives addressing woman's safety and commence newer initiatives.
- **The Sakhi One-Stop Centre (OSC)** scheme was one such initiative implemented using the fund by the **Ministry of Women and Child Development (MCWD) in 2015**.
- An OSC was to **provide emergency medical aid, psycho-social counselling, legal counselling and temporary shelter**. A woman escaping from violence and brutality, then, could go to an OSC and find all kinds of facilities available under one roof.
- It is part of a **broader umbrella scheme: National Mission for Empowerment of Women**.
- A **recent study** points to the OSC plagued by **improper implementation and a lack of gender sensitisation among staff, besides poor allocation of the funds**.

H. Practice Questions for UPSC Prelims Exam

Q1. Consider the following statements with respect to the National Human Rights Commission (NHRC) of India:

1. It is a statutory public body constituted under the Protection of Human Rights Act, 1993.
2. It cannot take suo motu cognisance of any case and can look into only those cases recommended by suitable authorities.
3. The chairperson is always a person, who has been the Chief Justice of India or a Judge of the Supreme Court.

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

- a. 1 only
- b. 1 and 2 only
- c. 1 and 3 only
- d. 1, 2 and 3

Answer: c

Explanation:

- The National Human Rights Commission (NHRC) of India is a statutory public body constituted on 12th October 1993 under the Protection of Human Rights Ordinance of 28 September 1993. It was given a statutory basis by the Protection of Human Rights Act, 1993.
- The NHRC is the National Human Rights Commission of India, responsible for the protection and promotion of human rights, defined by the Act as "Rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants".
- It can take suo motu cognisance and order investigation.
- The NHRC consists of:
 - A Chairperson, who has been a Chief Justice of India or a Judge of the Supreme Court.
 - One member who is, or has been, a Judge of the Supreme Court of India.
 - One member who is, or has been, the Chief Justice of a High Court.
 - Three Members, out of which at least one shall be a woman to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights.
 - In addition, the Chairpersons of National Commissions (Scheduled Castes, Scheduled Tribes, Women, Minorities, Backward Classes, Protection of Child Rights) and Chief Commissioner for Persons with Disabilities serve as ex officio members.

Q2. Consider the following statements with regard to Election spending in India:

1.

1. The law prescribes that the total election expenditure shall not exceed the maximum limit prescribed under Rule 90 of the Conduct of Election Rules, 1961.
2. A uniform limit of Rs. 70 lakhs has been set for Lok sabha elections throughout India.
3. Expenditure beyond the cap would amount to a corrupt practice under the Representation of Peoples Act, 1951.

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

- a. 1 and 2 only
- b. 2 and 3 only
- c. 1 and 3 only
- d. 1, 2 and 3

Answer: c

Explanation:

- There is no uniform limit on spending and varies from state to state. A candidate can spend upto Rs. 70 lakh, in the bigger states like Andhra Pradesh, Maharashtra, Madhya Pradesh, Uttar Pradesh, West Bengal and Karnataka etc.
- The expenditure limit in smaller states & UTs like Arunachal Pradesh, Goa, Sikkim, Andaman and Nicobar Islands, Chandigarh, Dadar and Nagar Haveli, Daman and Diu, Lakshadweep and Puducherry is kept at Rs. 54 lakhs.
- Candidates have to keep a separate account and file the election expenses with the Election Commission of India under the law.
- All registered political parties have to submit a statement of their election expenditure to the Election Commission within 90 days of the completion of the Lok Sabha elections. While all candidates are required to submit their expenditure statement to the poll panel within 30 days of the completion of the elections.
- An incorrect account or expenditure beyond the cap can lead to disqualification for up to three years under Section 10A of the Representation of the People Act, 1951.

Q3. Which of the following statement/s is/are correct?

1. The Polar bears rely heavily on the sea ice environment for travelling, hunting, and

reproductive cycles.

2. The diminishing sea ice cover owing to Global warming is an existential crisis for the Polar bears.
3. The Polar bears are listed as critically endangered under the IUCN red list.

Choose the correct option:

- a. 1, 2 and 3
- b. 1 and 2 only
- c. 2 only
- d. 3 only

Answer: b

Explanation:

- To date, global warming has been most pronounced in the Arctic, and this trend is projected to continue. Temperatures in the Arctic are rising at least twice as fast as the global average and sea ice cover is diminishing by nearly four per cent per decade. There are suggestions that before mid-century we could have a nearly ice-free Arctic in the summer.
- Polar bears dependence on sea ice makes them highly vulnerable to a changing climate. Polar bears rely heavily on the sea ice environment for traveling, hunting, mating, resting, and in some areas, maternal dens. In particular, they depend heavily on sea ice-dependent prey, such as ringed and bearded seals.
- The latest International Union for the Conservation of Nature (IUCN)'s "Red List" classifies polar bears as "vulnerable", meaning they are facing a high risk of extinction in the wild.
- Activists say climate change has prevented coastal ice from forming and in the absence of ice cover, the animals are forced to come ashore in search of food.

Q4. Which of the following cities lies on a latitude closest to the Tropic of Cancer?

- a. Ranchi
- b. Varanasi
- c. Kolkata
- d. Gwalior

Answer: a

Explanation:**I. Practice Questions for UPSC Mains Exam**

1. Though climate change is a global challenge, India is one of the most vulnerable countries to climate change impacts. Comment. Also, suggest suitable way forward for India. (250 words, 15 marks).
2. Enumerate the major oil producing regions of the world. List out the major oil fields and refineries in India and explain the fact that Petroleum refineries are not necessarily located nearer to crude oil producing areas. (150 words, 10 Marks)

Read previous [CNA](#).

