

03 Dec 2019: Comprehensive News Analysis

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Category:POLITY AND GOVERNANCE

1. Govt. seeks review of SC/ST creamy layer

Context:

- A plea sought substantive equality among the SC and ST communities under Articles 14 and 16 of the Constitution, to enable proper distribution of benefits of affirmative actions to the genuinely needy SC/ST candidates after removing those who no longer remain identified with the term “backward classes”, specifically to SCs/STs.
- The Centre asked the Supreme Court to refer to a seven-judge Bench the question - whether the creamy layer concept should apply or not to the Scheduled Castes/Scheduled Tribes while providing them reservation in promotions.
- The Supreme Court has agreed to hear the Centre’s petition to review its 2018 Supreme Court verdict that excluded the creamy layer within Scheduled Castes/Scheduled Tribes communities from reservation benefits.

Background:

Case history

Salient points from the past verdicts which dealt with the application of creamy layer concept in reservation

■ **Nine-judge Bench in 1992 Indra Sawhney case:** SCs/STs are the most backward among backward classes. Once part of the Presidential List under Articles 341 & 342, there is no question of showing their backwardness again



■ **Five-judge Bench in 2006 M. Nagaraj case:** Quota benefits should go to the weakest of weak and not be snatched away by members of the class who are in the “top creamy layer”

■ **Five-judge Bench in 2018 Jarnail Singh case:** Creamy layer ensures that only the deserving among the SCs/STs get the benefits of reservation

- In 2018, a five-judge Bench in the Jarnail Singh case unanimously agreed with a 2006 judgment of another five-judge Bench in the M. Nagaraj case, which had upheld the application of the creamy layer principle in promotions.

- The five-judge Constitution Bench of 2018 had held that the well-off members of the Scheduled Castes and Scheduled Tribe communities, who are also termed the creamy layer, cannot be granted the benefits of reservation in college admissions and government jobs.
 - Applying the creamy layer principle to promotions for Scheduled Castes and Scheduled Tribes in government jobs, the Supreme Court had declined to refer to a larger bench its 2006 verdict on the matter.
- The 2018 judgment, modifying the part of the Nagaraj case verdict which required the States to show quantifiable data to prove the “backwardness” of a Scheduled Caste/Scheduled Tribe in order to provide quota in promotion in public employment, had, however, rejected the Centre’s argument that the Nagaraj case ruling had misread the creamy layer concept by applying it to the SCs/STs.
- The 2018 judgment said that when a court applies the creamy layer principle to the Scheduled Castes and the Scheduled Tribes, it does not in any manner tinker with the Presidential List under Article 341 or 342 of the Constitution. The caste or group or sub-group named in the list continues exactly as before, Justice Nariman had reasoned.
 - He had observed that unless the creamy layer principle was applied, those genuinely deserving reservation would not access it and those who were undeserving within the same class would continue to get it.
- The court held that the principle was based on the [fundamental right to equality](#). “The benefits, by and large, are snatched away by the top creamy layer of the backward caste or class, keeping the weakest among the weak always weak and leaving the fortunate layers to consume the whole cake,” Justice Nariman had observed.

Category:HEALTH

1. Bill banning e-cigarettes passed

Context:

A Bill banning the manufacture and sale of electronic cigarettes, but not their possession and use, has been passed by Parliament.

Concerns:

- India has the second-largest number of tobacco users (268 million) in the world – of these at least 12 lakh die every year from tobacco-related diseases.
- Electronic Nicotine Delivery Systems (ENDS) solutions and emissions contain other chemicals, some of them considered to be toxicants.
- ENDS contain nicotine solution which is highly addictive.
- The flavouring agents and vaporizers used in e-cigarettes are also harmful for health.
- Use of e-cigarettes has documented adverse effects on humans like DNA damage, carcinogenesis, cellular, molecular and immunological toxicity.
- It can cause respiratory, cardiovascular and neurological disorders.
- They are also known to have adverse effects on pregnancy and foetal development.
- Lack of knowledge about the negative effects of nicotine and the easy accessibility of these products make the youth prone to addiction.

Details:

- The Rajya Sabha passed the Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Bill, 2019 by voice vote.

- The Bill, which was passed by the Lok Sabha, will replace an ordinance brought by the government in September 2019.
- It assumes importance from the standpoint of WHO Framework Convention on Tobacco Control, 2003, which India is a signatory to.
- Even the Indian Council of Medical Research had recommended a complete ban on e-cigarettes and other Electronic Nicotine Delivery Systems.

What are e-cigarettes?

- An electronic cigarette (or e-cig) is a battery-powered vaporizer that mimics tobacco smoking.
- It works by heating up nicotine liquid.
- Nicotine juice comes in various flavors and nicotine levels.
- e-liquid is composed of five ingredients: vegetable glycerin (a material used in all types of food and personal care products, like toothpaste) and propylene glycol (a solvent most commonly used in fog machines.) Propylene glycol is the ingredient that produces thicker clouds of vapor.
- Electronic cigarettes do not burn or use tobacco leaves but instead vaporise a solution the user then inhales.

Provisions of the bill:

- The Bill categorizes production, manufacture, import, export, transport, sale, distribution, storage, and advertisement of e-cigarettes and similar devices as cognizable offences.
- The bill stipulates that persons found in violation of the law for the first time will face a jail term of up to one year or a fine of up to one lakh rupees, or both. For subsequent offences, there would be a jail term of up to three years and a fine up to Rs 5 lakh.
- It further punishes storage of e-cigarettes with imprisonment up to six months or a fine of up to Rs 50,000, or both. Once the Bill comes into force, the owners of existing stocks of e-cigarettes will have to declare and deposit these stocks at the nearest office of an authorized officer.

Category:INTERNATIONAL RELATIONS

1. Siberia pipeline cements China-Russia bond

Context:

Chinese President Xi Jinping and his Russian counterpart Vladimir Putin remotely inaugurated the “Power of Siberia” gas pipeline.

Details:

- The gas pipeline is a massive cross-border undertaking not only central to China’s energy security but also for bolstering special ties between Beijing and Moscow.
- The 30-year project is anchored by a \$400 billion gas deal. Under the contract, Russia will deliver 1 trillion cubic meters of natural gas to China over the next 30 years.
- Russia has been a primary gas supplier to Europe, but the Power of Siberia is the first cross-border gas pipeline between Russia and China.
- From Siberia to China’s Yangtze River delta in Shanghai, the massive pipeline will cover 8,000 km, with 5,111 km inside China, passing through nine provinces and municipalities. It will channel natural gas from the gas fields of Siberia to northeastern China.

- The pipeline was inked by Russian energy giant Gazprom back in 2014. The \$400-billion deal is Russia's biggest-ever contract.

Significance:

- The project highlights China's intent to funnel energy away from shipments routed through the strategically vulnerable Malacca straits, a key shipping lane between the Indian Ocean and the Pacific Ocean.
- With the Power of Siberia pipeline, bringing gas from Irkutsk and Yakutia production centres in Siberia, going online soon, it is evident that the Eurasian core, pillared by Russia and Central Asia, is emerging as the nucleus of China's energy security.
- The gas pipeline adds a prominent eastern dimension to Moscow's energy blueprint. The brand new pipeline is believed to be an emblem of closer energy integration in Eurasia.
- There are other visible signs that hostility between Russia and China has given way to collaboration. A cross-border bridge across the Amur River that would link Blagoveshchensk (Russia) and Heihe (China) is scheduled for opening in 2020.

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E. Editorials

Category:HEALTH

1. Taking stock of the anti-AIDS fight

Context:

Anti-AIDS campaign.

Global Goals:

Sustainable Development Goals:

- **The Sustainable Development Goals (SDG)**, adopted by member countries of the United Nations in 2015, set a target of **ending the epidemics of AIDS, Tuberculosis and Malaria by 2030 (SDG 3.3)**.
- The key indicator chosen to track progress in achieving the target for HIV-AIDS is "the number of **new HIV infections per 1,000 uninfected population**, by sex, age and key populations".

- In the terminology of HIV prevention and control, the phrase “**key populations**” refers to men who have sex with men; people who use injected drugs; people in prisons and other closed settings; sex workers and their clients, and transgender persons. Risk of acquiring HIV infection is higher in the key populations.

The “90-90-90” target:

- In order to infuse energy and urgency into global efforts to combat HIV-AIDS and complement the prevention target set by the SDGs, an ambitious treatment target was also **adopted through UNAIDS, the lead UN agency that coordinates the battle against HIV.**
- **The “90-90-90” target** stated that by 2020, 90% of those living with HIV will know their HIV status, 90% of all people with diagnosed HIV infection will receive sustained **antiretroviral therapy** and 90% of all people on such therapy will have **viral suppression.**
- The gaps in detection, initiation of drug therapy and effective viral control were to be bridged to reduce infectivity, severe morbidity and deaths from undetected and inadequately treated persons already infected with HIV, even as prevention of new infections was targeted by SDG 3.3.

Initial Progress:

- **High-level political commitment, financial support, health system thrust, public education, civil society engagement and advocacy by affected groups** made it possible for the world to achieve a **reduction in new HIV infections by 37% between 2000 and 2018.**
- **HIV-related deaths fell by 45%,** with 13.6 million lives saved due to Anti-Retroviral Therapy (ART). According to a recent report by UNAIDS, of the 38 million persons now living with HIV, 24 million are receiving ART, as compared to only 7 million nine years ago.
- **Effective drugs were developed** to combat a disease earlier viewed as an inescapable agent of death and were made widely available due to **generic versions** generously made available by Indian generic manufacturers.
- **Public and private financing** took care of the financial needs of the efforts.
- **Ignorance and stigma were vigorously combated** by coalitions of HIV-affected persons who were energetically supported by enlightened sections of civil society and the media.
- The world of global health resonated with calls for adopting a **rights-based approach and assuring access to life-saving treatments.** There was a determined global thrust against the global threat of AIDS.

Slowing progress:

- While much success has been achieved in the past 20 years in the global battle against AIDS, there has been a **slowdown in progress** which seems to place the global targets out of reach.
- At the end of 2018, while 79% of all persons identified as being infected by HIV were aware of the fact, 62% were on treatment and only 53% had achieved viral suppression — **falling short of the 90-90-90 target set for 2020.**
- There are worryingly high rates of new infection in several parts of the world, especially among young persons. **Only 19 countries are on track to reach the 2030 target.**
- Due to gaps in service provision, 770,000 HIV-affected persons died in 2018 and 1.7 million persons were newly affected.
- There has been a **regional disparity in progress.** While improvements have been noted in eastern and southern Africa, central Asia and eastern Europe have had a setback, with more than 95% of the new infections in those regions occurring among the ‘key populations’.

Reasons for the slowing progress:

- The **expanded health agenda in the SDGs** stretched the resources of national health systems, even as global funding streams started identifying other priorities.
- Improved survival rates reduced the fear of what was seen earlier as dreaded death and pushed the disease out of the headlines. The initial progress led to a complacent assumption of a conclusive victory. This led to **complacency in the global efforts** against AIDS.
- The **information dissemination** blitz that successfully elevated public awareness on HIV prevention **did not continue** to pass on the risk-related knowledge and strong messaging on prevention-oriented behaviours to a new generation of young persons.
- The vulnerability of adolescent girls to sexual exploitation by older men and domineering male behaviours inflicting HIV infection on unprotected women have been seen as factors contributing to new infections in Africa.
- The improved survival rates in persons with HIV bring forth **other health problems** that demand attention which is currently neglected. Risk factors for cardiovascular disease are high among survivors as they age, with anti-retroviral drugs increasing the risk of atherosclerosis.
- **Other infectious diseases**, such as tuberculosis can co-exist and cannot be addressed by a siloed programme like the one being adopted at present.
- **Mental health disorders** are a challenge in persons who are on lifelong therapy for a serious disease that requires constant monitoring and often carries a stigma. This aspect is **often neglected in the treatment regime**.

Indian scenario:

- The **Indian experience has been more positive but still calls for continued vigilance and committed action**.
- **HIV-related deaths declined** by 71% between 2005 and 2017.
- **HIV infection now affects 22 out of 10,000 Indians**, compared to 38 out of 10,000 in 2001-03.
- India has an estimated 2.14 million persons living with HIV and records 87,000 estimated new infections and 69,000 AIDS-related deaths annually.
- The total number of persons affected in India is estimated to be 21.40 lakh, with females accounting for 8.79 lakh.
- **Nine states have rates higher than the national prevalence figure**. Mizoram leads with 204 out of 10,000 persons affected.
- **Assam, Mizoram, Meghalaya and Uttarakhand showed an increase in numbers of annual new infections**.
- The strength of India's well established **National AIDS Control Programme**, with a cogent combination of prevention and case management strategies, must be preserved.

Conclusion:

- **Drug treatment of HIV is now well-founded** with an array of established and new anti-viral drugs.
- The success of drug treatment to prevent mother-to-child transmission, pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP), and male circumcision, especially among MSM population, is well-documented.
- Given the **wide diversity of the HIV virus strains**, the development of a vaccine has been highly challenging but a couple of candidates are in early-stage trials.
- However, **mere technical innovations will not win the battle against HIV-AIDS**.
- Success in the efforts to reach the 2030 target calls for resurrecting the **combination of political will, professional skill, finances and wide-ranging pan-society partnerships** that characterised the high tide of the global response in the early part of this century.
- The **theme of the World AIDS Day for the year 2019 ("Ending the HIV/AIDS Epidemic: Community by Community)** is a timely reminder that community-wide coalitions are needed even as highly vulnerable sections of the community are targeted for protection in the **next phase of the global response**.

1. Bigger is not necessarily better

Context:

The Government's target to **make India a \$5 trillion economy by 2024**.

Concerns:

- The **national accounts statistics** point to a **slowing of growth after 2016-2017**. Growth has been slower in the subsequent two years and has now begun slowing in successive quarters. If this continues, the attainment of the \$5 trillion mark within the next five years is not assured.
- There is prima facie evidence that some of the policies of the government like the introduction of the Goods and Services Tax and demonetisation have had adverse effects for many Indians and the economy.
- The general assumption is that the bigger the economy the easier it is to eradicate poverty and fulfil the aspirations of the youth. However, **policies aimed solely at economic growth may fail to address more structural issues that an economy may face**.
- Recent reports on jobs and consumption point to the structural issues being faced by India.
- **The Periodic Labour Force Survey for 2017-18 shows unemployment to be at a 45-year high**. Between 2011-2012 and 2017-2018, the unemployment rate for rural men more than trebled while that for urban women more than doubled.
- **The National Statistics Office's consumer expenditure survey shows consumption falling for the first time in over 40 years**. The fall in consumption is less drastic than the rise in unemployment and the decline is confined to rural India.
- The rise in unemployment is far higher in rural India and it is in this segment that consumption has fallen pointing out to the link between lower employment opportunities leading to lower expenditure.
- The observed rise in unemployment and decline in consumption don't just limit growth, they both **reveal persisting hardship in the economy** and indicate that the pursuit of growth may fail to address it. The two policies being pursued by the government, namely tax reform and foreign direct investment, have little scope to help solve the stated problems.

For more information on this issue: [Click Here](#)

2. In telecom, time to send the right signals

Context:

The existing **stress in the telecom sector** has led private telecom players to hike rates.

Details:

- Presently the telecom sector is at a turning point.
- **The troubles of today are rooted in the fast-paced growth of yesteryears and regulation**. This drove businesses to work with a single mind focus on consumer acquisition as the base of users increased.

Background:

Landline telephony:

- In the early 1990s, India had merely seven million telephones as the cost of installing a landline telephone was too high and the required **average revenue per user (ARPU)** just to break even was ₹1,250 per month, which was too high for most Indians at that time.
- Indian telecom grew at a slow pace through government budgets and subsidies. It is in this context that **wireless telephony was introduced**. This would bring down the capital cost, make telephones affordable in India, would be easier to install and bring in private investments for a potentially profitable business.

Wireless telephony and the auctions:

- The first telecom auctions for private players were in 1995. **The financial bids were unbelievably high**. Some international consultants proposed large licence fees without understanding Indian affordability. Later, the winners realised that the bids were economically unsustainable. Several **legal ploys** were used to stop the payment against bids, cases multiplied, and the **telecom dream was stillborn**.
- The only way out of this imbroglio was to cancel the **licence fees** due to the government and introduce the “revenue share” model even if it meant huge “loss of revenue”.

The “revenue share” model:

- In 1999, realizing the need for bold steps for the telecom sector, licensees were offered an option to **switch to revenue-share instead of upfront licence fees**. This bold step got mobile telephony going.
- By around 2003, India had around 300 million telephone lines and the urban market was saturating. Airtel, Vodafone and Idea, with their GSM mobile-licence, were the leaders.
- The CDMA mobile licensees had grown slowly, stuck with a technology without a future and could not compete.

Increasing number of players:

- Rural markets required lower tariffs, but the GSM trio was happy with the urban market and resisted a reduction in tariffs. **The market grew at a slow pace since then**.
- It was around 2007 that the then government saw this imbroglio and found ways to give new **GSM licences using primarily revenue-share**. These newcomers, primarily Reliance Communications (RCOM) and Tata Teleservices, dropped tariffs and introduced per-second billing. Others had to follow. The market grew quickly to 900 million lines.
- The telecommunications sector grew at a rapid pace, riding on a virtuous cycle of growing demand and increasing competition that had pushed down prices. **Indian telecom was thriving. The operators were making decent money, even with lower tariffs**.

The advent of new technology:

- Till 2007, India was using only 2G telephony. Data and Internet were at very low speed; 3G telephony was just being introduced and operators were haggling for more 3G spectrum in 900 MHz and 1800 MHz bands. The government was periodically conducting auctions since 2010, fetching large spectrum bids.
- Around 2013, the Government made available some spectrum in the 2300-2500 MHz band. This was not considered suitable for 3G telephony then. **4G was in its infancy and there was some concern about technology standards and technology readiness**.

The advent of Reliance Jio:

- A new company, **Reliance Jio**, betted on 4G technology and won the whole spectrum pan-India through a partner company at a relatively lower price as there was little interest from established operators.
- Jio had to wait four years to get the technology ready and **launched the 4G service** late in 2016 and caught the imagination of users. It made voice calls almost free and offered good quality video on smart handsets at very low tariffs. Others did follow suit but paid higher amounts for spectrum in later auctions. Jio has been gaining market share since then.
- The **older operators have been on the defensive, facing serious erosion in market share and profitability**. RCOM and Tata Teleservices have been wiped out. Vodafone and Idea merged to just about survive. Airtel, the strongest operator two years back, continues to lose market share and profitability.

Issue of penalties:

- The **revenue-sharing agreement** that companies like Airtel, Idea, Vodafone and others signed in 2001 has become a source of contention recently.
- The **Supreme Court ruled in October 2019** that these **companies are liable to pay revenue share not just on telecom revenue but all revenues of the company** — sales proceeds on handsets, renting of their towers, infrastructure sharing, and even on dividend incomes from any investment. They also have to **pay huge late-fees and penalties**, totalling ₹1.3 lakh crore.
- While the court has rightly interpreted the written agreement of 2001, the amounts are enormous that when paid, is likely to bankrupt these players. **The industry is already saddled with a debt of ₹7 lakh crore.**
- **India is faced with the prospect of a telecom monopoly or duopoly.**

Way forward:

- In light of the precarious situation that the telecom sector finds itself in, the **government needs to act**, just like it has done in the past.
- Even though it says so in a contract, it makes little sense to pay a revenue share to the government on unrelated businesses. The **government could offer the operators payment of principal in instalments and waive off interest and penalties.**
- The money thus saved could be better spent by operators **to improve today's average service-quality**. This would help telecom reach the remotest parts of the country and the service needs to continue to be affordable.
- The time has come to **relook the role of telecom in the country**. If India is to reap the benefit of being fully digital, the government's taxes and earnings from telecom should be limited. Today, in addition to corporate taxes, the government's telecom revenue includes Goods and Services Tax, spectrum auction, revenue share as licence fees, amounting to about 30% of customer bill. **The government should not look at the telecom sector primarily as a revenue-earner.**
- Realizing the role digital connectivity plays in society, it is critical for the nation to **have multiple players compete in telecom services.**

For more information on this issue: [Click Here](#)

Category:INTERNAL SECURITY

1. Terror in London

Context:

The recent knife attack in London.

Details:

- There have been a series of terror attacks in the U.K., especially in London. In 2017, there were three terrorist attacks in the U.K. with two in London.
- With the latest attack, which the Islamic State has claimed responsibility for, the attacker has succeeded in keeping the threat of terror to London alive.
- The recent knife attack in London is another reminder of **the threat lone-wolf assaults pose to public security**.

Concerns:

- **Radicalisation through Social media** remains the primary problem.
- While the British intelligence is often credited for foiling dozens of terrorist attacks since the 2005 London train bombings that killed 56, less sophisticated, less coordinated, often lone-wolf attacks are on the rise.
- The attacker was a convicted terrorist and was released in December 2018 with an electronic tag and conditions after serving half his jail term. But the police still could not prevent the knife attack. The attack points to **security, intelligence and systemic failures**.

Way forward:

- Need to **address the systemic issues** like making policing more efficient.
- A good counter-terror plan to **tackle both extremism among youth** and prevent lone-wolf attacks that often go undetected is the need of the hour.
- Realizing that there is no one-stop solution to terrorism, the state agencies need to **work with civil society groups as well as community leaders and have deradicalisation programmes**.

For more information on the issue of Lone wolf attacks: [Click Here](#)

Category: POLITY AND GOVERNANCE**1. The dubious legal case for an NRIC****Context:**

Home Minister's declaration of a nationwide NRC during the parliamentary session.

Details:

- The Union Home Minister, answering a starred question in the Rajya Sabha stated that the Preparation of **National Register of Indian Citizens (NRIC)** is governed by the provisions of Section 14A of **the Citizenship Act, 1955** and **the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules 2003**.
- Section 14A of the Citizenship Act, 1955 provides for compulsory registration of every citizen of India and maintenance of NRIC.

- The procedure to prepare and maintain NRIC is specified in the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.

Concerns:

Citizenship Act of 1955:

- Section 14A in the Citizenship Act of 1955 provides in sub-section (1) that the Central Government may compulsorily register every citizen of India and issue a national identity card to him. The word “may” implies a discretion contingent on other factors that is at odds with the supposed “compulsory” nature envisaged immediately thereafter.

The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003:

Rule 11:

- Rule 11 of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 states that the Registrar General of Citizen Registration shall cause to maintain the National Register of Indian Citizen in electronic or some other form which shall entail its continuous updating on the basis of extracts from various registers specified under the Registration of Births and Deaths Act, 1969 and the [Citizenship] Act [1955].
- It, therefore, confines the Registrar General’s responsibility to a periodic revision of the National Register by updating it with the information available with the Registrar of Births and Deaths. No action or duty is enjoined upon the citizens to apply for (or prove) their citizenship afresh.

Rule 4:

- Rule 4 places the responsibility to carry out a census-like exercise on the Central government and not on citizens. This deals with the “Preparation of the National Register of Indian Citizens” which provides that the Central Government shall carry out a “house-to-house enumeration for collection for particulars related to each family and Individual including the citizenship status”. This is a distinctly passive process compared to the exercise in Assam.

Rule 6:

- Rule 6 provides that every individual must get himself/herself registered with the Local Registrar of Citizen Registrations during the period of initialisation (the period specified as the start date of the NRIC). This does not begin with a non-obstante clause or words that give it an overriding effect over all other clauses. What this means is that this rule is circumscribed by the other clauses in the Act.

Contradictory Provisions:

- **The dilemma arises as a direct consequence of contradictory provisions in the Rules.** Rule 11 says that updating the NRIC entails updating the information available with ‘Registrar of Births and Deaths’ with no de novo process envisaged. Rule 4 says that a census-like exercise shall be carried out and, if the Central government wants to exclude a citizen, it will give him/her a hearing. Rule 6 says that a citizen shall have to get himself/herself registered once a start period is specified. These Rules are in direct contradiction with one another and indicate arbitrariness.

NRIC Not mandatory:

- The above analysis points out to the conclusion that the NRIC exercise is not mandatory. The statement of the Home Minister is misleading as it suggests that a nationwide NRIC is mandated by law.

The Foreigners Act of 1946:

- Under **the Foreigners Act of 1946**, the burden of proving whether an individual is a citizen or not lies upon the individual applicant and not on the state (Section 9). **The proposed NRIC may strip bona fide citizens of basic legal protections by inverting the burden of proof.**

Aadhaar Project:

- The last time the Central government tried to make an identity enrolment mandatory was the Aadhaar project and this was struck down as excessive (except in limited and justifiable cases). The NRIC scheme, as proposed, would thus be directly in violation of the **S. Puttaswamy judgment**.

Effect of the proposed NRIC:

- The serious penal consequences envisaged in the case of NRIC, i.e., the loss of citizenship may lead to **statelessness for groups** that are disfavoured. This may lead to a violation of **Article 21** of the constitution.
- The individuals most likely to suffer are those at the very margins of poverty, who risk being rendered stateless and worse, being incarcerated in detention camps.
- The larger effect on certain communities might lead to the **violation of Article 14 of the Constitution**.

For more on this issue: [Click Here](#)

Category: INTERNATIONAL RELATIONS

1. Creating an Indo-Pak. trade corridor through Punjab

Context:

Opening of the Kartarpur corridor.

Present Scenario:

- **Bilateral trade is today languishing** at around \$2.5 billion annually, while the potential, according to the World Bank, is \$37 billion. **Trade ties between the two countries hit rock bottom** when Islamabad, recklessly, suspended all trade ties after the Article 370 decision in August.
- Earlier, India had unilaterally increased custom duties on all Pakistani products to 200%, post the Pulwama terror attack in February 2019. On its part, Pakistan has not honoured its most favoured nation obligation towards India for a very long time.

Details:

- Noted security expert C. Raja Mohan has argued that the opening of the Kartarpur corridor has unlocked the possibility of **looking at bilateral relations through the prism of Punjab** and the idea of punjabiya as against the regular prism of Kashmir.
- This can act as a harbinger of normal relations between the countries.

Benefits:

Economic Benefit:

- Punjab can be made central to the India-Pakistan relationship by **opening new trade corridors or fortifying existing trade routes running through Punjab.**
- These trade corridors or routes could be developed with an aim to foster a free trade area that **brings closer the two Punjabs.**
- Such a free trade area could allow absolute free trade in those agricultural and industrial goods and services that originate in either of the Punjabs. **It would also amplify the size of the markets for producers and consumers of Punjab from Chandigarh to Lahore.**
- Using the framework of the General Agreement on Tariffs and Trade (GATT), such an FTA can be drafted and specially created for India and Pakistan.

Peace dividend:

- Liberal internationalists argue that there is a **positive correlation between trade and peace.** Free trade fosters better economic relations between countries and boosts ties of interdependence between the private sectors and the governments. This interdependence creates new constituencies that demand and lobby for peace as it serves their interests.
- The overall net-effect is fewer conflicts, thus more peaceful relations. In the context of India-Pakistan ties, researchers have long argued **that augmenting bilateral trade can yield a 'peace dividend'.**
- India needs to appreciate that there is not one but several 'Pakistans' to deal with. It needs to reach out to the business community, including in Pakistani Punjab, and nurture these peace constituencies, as part of a larger political process. Boosting trade can be one way to cultivate such peace constituencies.

Battle against Poverty:

- **India and Pakistan have to collectively fight against the scourge of poverty. Trade can play an important role in this.**
- Creating a new trade corridor from Chandigarh to Lahore, and a free trade area across the **Radcliffe Line** can be the first principal move towards normalising trade interactions and economic upliftment in the region.

For more information on this topic: [Click Here](#)

2. Winning the peace

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F. Tidbits

1. Fatal accidents see 300% dip in Capital

- The national Capital witnessed a 300% dip in cases of fatal accidents after the amended Motor Vehicles Act came into effect from September 1, 2019.
- The city has witnessed a major drop in all categories of traffic violations.

- Cases of minors driving have dropped as under the new MV Act, the guardian or vehicle owner will be deemed guilty. The juvenile will be tried under Juvenile Justice (Care and Protection of Children) Act, 2015.

2. Tiger population up by 750 in 4 years to 2,976

- Environment, Forest and Climate Change Minister has said that the tiger population has increased by 750 in the last four years to 2,976. Earlier, the count was 2,226.

3. U.S. to impose tariffs on Brazil and Argentina

- The U.S. President Donald Trump accused Argentina and Brazil of hurting American farmers through currency manipulation and said that tariffs would be slapped on their steel and aluminum imports, to retaliate.
- Both South American nations were among a group of U.S. allies that Mr. Trump had exempted from steel and aluminum tariffs in 2018.
- Trump also called on America's central bank to take action to prevent other countries from devaluing their currencies.
- The President's threat to reverse that decision and impose the metals tariffs on Argentina and Brazil is another example of his mercurial approach to trade policy.

4. India and Sweden set to expand ties

- Swedish King Carl XVI Gustaf held extensive talks with the Indian President and the Prime Minister to expand overall bilateral cooperation in diverse areas including in trade and investment, innovation and culture.
- After talks between the King and President Kovind, the sides signed three pacts providing for cooperation in **polar science, innovation and research and in maritime spheres**.
- PM of India and Swedish King also chaired a meeting of the India-Sweden High-Level Policy Dialogue on Innovation Policy, discussing ways to expand engagement in research and development.
- The King and the Queen are in India on a five-day visit.
- The ties between India and Sweden have been on an upward trajectory in the last few years. The bilateral trade volume was USD 3.37 billion in 2018.

5. A strange catch for Puducherry fishermen

What's in News?

Fishermen in Puducherry have caught in their nets, a part of ISRO's satellite launch vehicle – Polar Satellite Launch Vehicle (PSLV).

- The equipment was the casing of one of the strap-on motors of the PSLV, India's trusted workhorse satellite vehicle.

- The strap-on motors provide additional thrust to the rocket at launch and are the first to be separated after the rocket lifts off from the launch pad, following which the first and second stages separate in sequence.
- These stages fall into the ocean after separation. But, it is very rare for them to wash ashore.

6. SC declines plea against polygamy

- The Supreme Court did not accede to a request to urgently list a petition seeking a declaration that the practice of polygamy and nikah halala is unconstitutional.
- The petition wants the court to declare Section 2 of the Muslim Personal Law (Shariat) Application Act, 1937, unconstitutional and in violation of Articles 14, 15 and 21 of the Constitution, insofar as it seeks to recognise and validate the practice of polygamy and nikah halala.
- Polygamy allows a man to have more than one wife while nikah halala is a practice where a Muslim woman divorced by her husband can remarry her only after she marries someone else, consummates the marriage and then gets a divorce.

7. House passes university Bill

What's in News?

The Delhi Assembly passed a Bill to set up a Delhi Sports University (DSU), which will offer graduation, post-graduation and doctorate degrees in cricket, football, and hockey among other sports.

This topic has been covered in 4th October 2019 Comprehensive News Analysis. [Click here](#) to read.

8. NHRC seeks report on assault cases

- Expressing concern over the recent sexual assault cases, the National Human Rights Commission has issued notices to the Centre, States and Union Territories seeking reports on the standard operating procedure (SOP) for dealing with such cases and the use of the Nirbhaya Fund.

Read more about [Nirbhaya Fund](#).

- Taking suo motu cognisance of media reports, the NHRC observed that there was a dire need for all stakeholders to work jointly to get rid of this evil.
- The Commission's action comes in the wake of the gang-rape and murder that has spurred a debate on the condition of women's security in the country once again.
- 'Issuing the notices, the Commission said the "largest democracy of the world, which has adopted the longest written Constitution and has a rich cultural heritage of gender equality, is today being criticised for having the most unsafe environment for women."
- The NHRC said these cases were violations of the victims' human rights.
- It said that there have been constitutional and statutory provisions to ensure that women are not subjected to any kind of discrimination and harassment. But, there is an alarming trend indicating that things are getting worse, amounting to a violation of the right to life, liberty, dignity and equality of women across the country.

9. China imposes sanctions on U.S. over Hong Kong unrest

- China has suspended U.S. warship visits and sanctioned American NGOs in retaliation for the passage of a Bill backing pro-democracy protesters in Hong Kong.
- The financial hub has been rocked by nearly six months of increasingly violent unrest demanding greater autonomy, which Beijing has frequently blamed on foreign influence.
- Recently, the U.S. President signed the Hong Kong Human Rights and Democracy Act, which requires the President to annually review the city's favourable trade status and threatens to revoke it if the semi-autonomous territory's freedoms are quashed.

G. Prelims Facts

1. Panel finalises role of Chief of Defence Staff

What's in News?

- An implementation committee constituted to finalise the responsibilities of the soon-to-be-created post of Chief of the Defence Staff (CDS) has submitted its report.
- The Chief of the Defence Staff will act as the single-point military adviser to the government on military and strategic issues and oversee procurement, training and logistics.
- The government said the post would come within the ambit of the RTI Act.

Read more about Chief of Defence Staff in [18th November 2019 PIB Summary and Analysis](#).

H. UPSC Prelims Practice Questions

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

1. National Human Rights Commission of India is a statutory body.
2. NHRC has the powers of a civil court.
3. The chairperson and members of the NHRC are appointed by the President of India.

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

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

Answer: d

Explanation:

National Human Rights Commission is a statutory body responsible for the protection and promotion of human rights in the country. The National Human Rights Commission was established in the year 1993 by the

Protection of Human Rights Act, 1993 passed by the Parliament. It must be headed by a retired chief justice of India. The chairperson and members of the NHRC are appointed by the President of India.

Q2. Consider the following statements:

1. Rabies is a viral disease that causes inflammation of the brain in humans and other mammals.
2. Funds are provided under the National Rabies Control Programme (NRCP) for the procurement of Anti- Rabies vaccine (ARV).
3. In India, dogs are responsible for most of the cases of human rabies.

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

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

Answer: b

Explanation:

- Rabies is an acute viral disease that causes fatal encephalomyelitis in virtually all the warm-blooded animals including humans. It causes inflammation of the brain in humans and other mammals.
- Under the National Rabies Control Programme (NRCP) funds are not provided for the procurement of Anti- Rabies vaccine (ARV). Funds under NRCP are only provided for training, surveillance, laboratory strengthening and advocacy, etc. However, for rabies vaccination all the states/UTs have been communicated to include Anti- Rabies vaccine (ARV) and Anti Rabies serum (ARS) under essential drug list and to undertake the procurement of ARV and ARS under National Free Drug service initiative under National Health Mission.
- In India, dogs are responsible for about 97% of human rabies, followed by cats (2%), and others (1%).

Q3. Consider the following statements:

1. Hand-in-hand is a joint training exercise between India and China.
2. It is an annual exercise that has been carried out every year since its inception in 2007.

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

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

Answer: a

Explanation:

Hand in hand (HiH) is a joint training exercise between India and China. Due to a 72 days long standoff between the two armies in Doklam, there was no joint exercise in 2017. The joint HiH exercise is one of the important confidence-building measures between the two largest armies in the world. The HiH for the first time was held in Kunming (China) in 2007, followed by the second edition at Belgaum in 2008. However, due to diplomatic spats over stapled visa and other matters, there was no drill in 2009-2010. This was later re-started in 2013 at Miaogang in China, followed by the next one in Pune in 2016.

Q4. Consider the following statements with respect to River Amur:

1. The Amur River forms a border between Russia and China.
2. The river originates in Russia.

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

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

Answer: a

Explanation:

The Amur River originates near the sacred mountain of Burkan Khaldun in Northeastern Mongolia, the birthplace of Genghis Khan. It forms a border between the Russian Far East and Northeastern China.

I. UPSC Mains Practice Questions

1. In the backdrop of tense Indo-Pak relations, cross border trade provides a ray of hope for establishing peace. Comment. (10 marks, 150 words)
2. In the light of the recent London terrorist attack, the looming threat that lone-wolf assaults pose to public security needs urgent attention. Comment. Suggest suitable steps to tackle it. (15 marks, 250 words)

Read previous [CNA](#).