

09 Dec 2019: Comprehensive News Analysis

TABLE OF CONTENTS

A. GS 1 Related

B. GS 2 Related

POLITY AND GOVERNANCE

1. [6 years on, Lokpal is yet to get prosecution wing](#)
2. [States may put Centre on mat on GST](#)
3. [Citizenship Bill to be tabled today](#)

C. GS 3 Related

DISASTER MANAGEMENT

1. [43 dead, 16 injured in major Delhi fire](#)

D. GS 4 Related

E. Editorials

POLITY AND GOVERNANCE

1. [Constitutional justice is non-negotiable](#)
2. [Demonising the legal system won't help](#)

INTERNATIONAL RELATIONS

1. [An Asian engine driven by India and China](#)

F. Tidbits

G. Prelims Facts

1. [Motion to suspend 2 Cong. MPs to be moved today](#)
2. [Panel pulls up 19 States for tyre disposal](#)
3. [The name's Bond, Bharat Bond](#)

H. UPSC Prelims Practice Questions

I. UPSC Mains Practice Questions

A. GS 1 Related

Nothing here for today!!!

B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. 6 years on, Lokpal is yet to get prosecution wing

Context:

Information revealed by an RTI query regarding the functioning of Lokpal.

Background:

Lokpal and Lokayuktas:

- **Lokpal is the national anti-corruption ombudsman** established under **the Lokpal and Lokayuktas Act 2013** to inquire and investigate into allegations of corruption against public functionaries who fall within the scope and ambit of the above Act and ensure accountability on the part of public officials.
- This body is constituted to check the **menace of corruption in India**.
- The Lokpal has jurisdiction over the central government to inquire into allegations of corruption against its public functionaries and for matters connected to corruption. **The Lokayukta performs the same function at the state level.**
- The Lokpal and Lokayuktas Act 2013 mandates that States set up Lokayuktas through a state law within 365 days of the passing of the bill.

Composition:

- **Lokpal consists of a chairperson and a maximum of eight members, 50% of whom are judicial members**, who are or have been Judges of the Supreme Court or Chief Justices of a High Court. The **other half being non-judicial members** are people of impeccable integrity and outstanding ability having special knowledge and expertise of not less than twenty-five years in matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
- **50% of the members of Lokpal shall be SC/ST/OBCs, minorities and women.**
- Selection of chairperson and members of Lokpal would be through a **selection committee** consisting of PM, Speaker of Lok Sabha, leader of opposition in Lok Sabha, Chief Justice of India or a sitting Supreme Court judge nominated by CJI.

Jurisdiction:

- The Lokpal has jurisdiction to inquire into allegations of corruption against anyone who is or has been **Prime Minister, or a Minister in the Union government, or a Member of Parliament, as well as officials of the Union government under Groups A, B, C, and D.**
- Also covered are chairpersons, members, officers and directors of any board, corporation, society, trust or autonomous body either established by an Act of Parliament or wholly or partly funded by the Union or State government.
- **All entities (NGOs) receiving donations from foreign source in the context of the [Foreign Contribution Regulation Act \(FCRA\)](#) in excess of Rs 10 lakh per year are under the jurisdiction of Lokpal.**
- The Lokpal, however, cannot inquire into any corruption charges against the Prime Minister if the allegations are related to international relations, external and internal security, public order, atomic energy, and space, unless a full Bench of the Lokpal, consisting of its chair and all members, considers the initiation of a probe, and at least two-thirds of the members approve it. Such a hearing should be held in camera, and if the complaint is dismissed, the records shall not be published or made available to anyone.

Functioning:

- If the Lokpal receives a complaint under the Prevention of Corruption Act 1988, then it can initiate the investigation. If the complaint is found to be true in the investigation then the Lokpal can ask the government to take disciplinary action against the accused public servants or can file a corruption case in a special court.
- A complaint under the Lokpal Act should be in the prescribed form and must pertain to an **offence under the Prevention of Corruption Act 1988**, against a public servant. There is no restriction on who can make such a complaint.

Preliminary Inquiry:

- When a complaint is received, the Lokpal may **order a preliminary inquiry by its Inquiry Wing, or refer it for investigation by any agency**, including the CBI, if there is a prima facie case.
- Before the ordering of an investigation by the agency, the Lokpal shall call for an explanation from the public servant to determine whether a prima facie case exists. This provision, the Act says, will not interfere with any **search and seizure that may be undertaken by the investigating agency**.
- The Lokpal, with respect to Central government servants, may refer the complaints to **the Central Vigilance Commission (CVC)**. The CVC will send a report to the Lokpal regarding officials falling under Groups A and B and proceed as per the CVC Act against those in Groups C and D.
- **The Inquiry Wing or any other agency will have to complete its preliminary inquiry and submit a report to the Lokpal within 60 days**. It has to seek comments from both the public servant and "the competent authority," before submitting its report. There will be a 'competent authority' for each category of public servants. For instance, for the Prime Minister, it is the Lok Sabha, and for other Ministers, it will be the Prime Minister. And for department officials, it will be the Minister concerned.
- **A Lokpal Bench consisting of no less than three members shall consider the preliminary inquiry report**, and after giving an opportunity to the public servant accused of corruption for his/her defence, decide whether it should proceed with the investigation.

Full Investigation and prosecution stage:

- **The bench can order a full investigation, or initiate departmental proceedings or close the proceedings**. It may also proceed against the complainant if the allegation is false. The preliminary inquiry should normally be completed within 90 days of receipt of the complaint.
- After the investigation, the agency ordered to conduct the probe has to file its investigation report in the court of appropriate jurisdiction, and a copy of the report has to be filed before the Lokpal.
- **A Bench of at least three members will consider the report and may grant sanction to the Prosecution Wing to proceed against the public servant based on the agency's charge-sheet**. It may also ask the competent authority to take departmental action or direct the closure of the report.
- Previously, the authority vested with the power to appoint or dismiss a public servant was the one to grant sanction under Section 197 of the Code of Criminal Procedure and Section 19 of the Prevention of Corruption Act. Now this power will be exercised by the Lokpal, a judicial body. In any case, the Lokpal will have to seek the comments of the 'competent authority' as well as the public servant's comments before granting such sanction.
- The Lokpal will have to appoint an **Inquiry Wing, headed by a Director of Inquiry**, and a **Prosecution Wing, headed by a Director of Prosecution**. Until these officers are appointed, the government will have to make available officers and staff from its Ministries and Departments to conduct preliminary inquiries and pursue prosecution. The institution will also have to appoint other officers and staff.

Declaration of assets and liabilities:

- **Public servants will have to declare their assets and liabilities in a prescribed form**. If any asset(s) found in their possession is/are not declared, or if misleading information about these is furnished, it may lead to an inference that assets were acquired by corrupt means.

Concerns:

The long delay in operationalizing the Lokpal:

- The movement to ensure accountability through an anti-corruption ombudsman has been long. The term Lokpal was coined in 1963 but it was not until January 2014 that the Lokpal and Lokayuktas Act came into force.
- It took five years to appoint the first chairperson and members of the Lokpal. **The constitution of the Lokpal was completed only by March 2019.**

Key provisions still not in place:

- Almost six years after the Lokpal and Lokayuktas Act, 2013 was signed into law, **several key provisions needed for the anti-corruption ombudsman to function have still not been operationalized.**
- The process of constituting **the Lokpal's inquiry and prosecution wings** has not yet begun.
- The process of the constitution of Inquiry Wing of Lokpal is yet to be initiated in consultation with the government of India. The Lokpal would find it difficult to investigate complaints that do fall within its mandate as it has no inquiry wing or regulations for inquiries.
- Regarding the setting up of **a special wing to prosecute public servants for corruption**, as mandated by the Act, the process of the constitution of Prosecution Wing of Lokpal is yet to be initiated in consultation with the government of India.

Complaint format not yet finalized:

- **The Lokpal has not yet notified a format for filing complaints.** The lack of this may lead to many complaints filed being dismissed.

Investigation regulations not yet notified:

- **The regulations on how to conduct preliminary investigations have not been notified.**
- **Section 60 of the Act** gives the Lokpal the power to make regulations on “the manner and procedure of conducting preliminary inquiry or investigation”. It also deals with making regulations on the website display of the status of all complaints along with records and evidence. Till now, no regulations have been made by the Lokpal under Section 60.

Lack of rules for disclosure of assets and liabilities:

- **The rules for the disclosure of assets and liabilities by public servants have not been notified.** This is a key provision as the **amassing of assets disproportionate to the known sources of income is often the basis for a complaint.**
- The draft rules of 2017 were referred to a Parliamentary Standing Committee, which submitted its recommendations to the government in July 2018. The Centre is yet to submit an Action Taken Report to the Rajya Sabha.

2. States may put Centre on mat on GST

Context:

The upcoming **Goods and Services Tax (GST) Council meeting** on December 18, 2019.

Concerns:

The shortfall in collection:

- The government had budgeted for ₹6,66,343 crore in GST collections for the financial year 2019-20, of which only about 50% has been collected so far, with just three months to go for the financial year to end.
- The Centre had targeted ₹1,09,343 crore compensation cess collections, of which it has so far collected ₹64,528 crores.

- The Centre had written to all the States voicing concerns that due to the **lower GST collections, the compensation cess might not be enough to pay for losses arising out of the tax system.**
- The government's argument is that **since rates kept changing, the GST collection has not been what was projected.**

Delay in releasing GST compensation to states:

- Several States, including Rajasthan, Kerala, Delhi, Punjab, and West Bengal, have not received the dues for several months.
- They have publicly urged the Centre to **transfer pending compensation payments.**
- Since **GST is a destination-based tax, certain producer States are suffering owing to the delay and inadequate compensation.**
- Many States had to incur debts to meet the expenses predicated on GST compensation monies.

States' Demands:

- Some states are **demanding that the cut-off date for ending compensation to the States be moved from 2021-22 to 2026-27.**
- The states have raised the opinion that the **Centre should raise the cess, if needed, to compensate the States and continue to compensate the States for the funds' shortfall incurred on introducing GST.**
- The government of Punjab has even said that it may take the matter to the Supreme Court if the Centre does not release the dues. Before that, the **GST Council which has a dispute redressal mechanism for any disputes among the members of the council needs to be given a chance to address the concerns.**

For more on this issue refer the following articles from previous CNAs:

1. [GST revenues not enough for States' compensation: Centre](#)
2. [GST funds: non-BJP ruled States to call on Nirmala](#)

3. Citizenship Bill to be tabled today

Context:

Introduction of the Citizenship (Amendment) Bill, 2019 in the Lok Sabha.

Details:

- The **Bill seeks to amend the Citizenship Act, 1955**, by wanting to grant citizenship to illegal non-Muslims (**Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians**) **from Bangladesh, Pakistan, and Afghanistan**, who came to India **on or before December 31, 2014.**
- The Bill proposes that all such migrants will be eligible for citizenship if they came to India before December 31, 2014, and **all pending legal cases pertaining to citizenship-related matters against them will stand abated.**
- The Bill says the six non-Muslim communities "shall not be treated as illegal migrants" for violating **provisions of the Passport Act, 1920, or the Foreigners Act, 1946.**
- The Bill **reduces the mandatory requirement** of continuous stay in India from 12 years to five years for "many persons of Indian origin including persons belonging to the minority community from the neighbouring countries" who are unable to produce proof of their Indian origin and are forced to apply for **citizenship by naturalization under Section 6 of the Citizenship Act, 1955.**

Concerns raised:

Citizenship based on religion:

- The statement of objectives and reasons of the Bill says, “The constitutions of Pakistan, Afghanistan, and Bangladesh provide for a specific State religion. As a result, many persons belonging to Hindu, Sikh, Buddhist, Jain, Parsi, and Christian communities have faced persecution on grounds of religion in those countries. Some of them also have fears about such persecution in their day-to-day life where the right to practice, profess and propagate their religion has been obstructed and restricted. Many such persons have fled to India to seek shelter and continued to stay in India even if their travel documents have expired or they have incomplete or no documents.”
- If the Bill is passed, it will be the **first time that citizenship will be provided on the basis of religion**.
- There are doubts regarding the longevity of the act given that a **judicial review** is imminent since it appears to violate **Article 14 of the Constitution which grants the [right to equality](#)**.

Concerns in North-East India:

- Several groups in Assam and the other Northeast states are protesting against the legislation as it will nullify the provisions of the **Assam Accord, 1985**, according to which all illegal immigrants, irrespective of religion, who entered India after March 24, 1971, were to be detected and deported.
- **The National Register of Citizens (NRC) in Assam**, published on August 31, was updated as per the Accord. More than 19 lakh persons, out of the total 3.29 crore applicants, were excluded from the final NRC.
- The Bill says the **amendments will not apply to the tribal areas of Assam, Meghalaya, Mizoram, and Tripura which are included in the Sixth Schedule of the Constitution and Arunachal Pradesh, Mizoram and Nagaland that are protected by the Inner Line Permit (ILP)**.
- The government has maintained that it would address all apprehensions of the States about the changes in their demography, language, and culture due to this Bill.

For more on this issue refer the following articles from previous CNAs:

1. [Northeast groups plan protests against bid to reintroduce Citizenship Bill](#)
2. [NE to be shielded from citizenship law impact](#)

C. GS 3 Related

Category:DISASTER MANAGEMENT

1. 43 dead, 16 injured in major Delhi fire

Context:

At least 43 people, including minors, died and over 16 were injured after a major fire broke out in a residential building being used as a manufacturing unit in the Anaj Mandi area of Central Delhi.

Details:

- Though the area is residential in nature, with time, illegal manufacturing workshops have mushroomed.

- The building did not have a **No Objection Certificate (NOC) from the Fire Department**, and no **fire safety equipment** was found to have been installed. The building was notified as residential and did not need an NOC.
- The property owner has been arrested under **IPC Section 304** (culpable homicide not amounting to murder) and **285** (negligent conduct with respect to fire).
- The firefighters trying to get inside from the main entrance were unable to move in because of the congested lane thus derailing the rescue operations.
- The death toll might rise.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY AND GOVERNANCE

1. Constitutional justice is non-negotiable

Context:

Brutal rape and murder of a 26-year-old veterinarian in Hyderabad and the subsequent death of the four accused in an encounter.

Background:

- The rape and murder of a veterinarian in Hyderabad had led to an outcry for speedy justice for the victim, with some demanding instantaneous retribution.
- Members of the public were justifiably anguished that a gruesome crime such as this was even possible in the heart of a vibrant metropolis. It brought back memories of a similar and gruesome sexual assault on a young woman in Delhi in December 2012.
- After the December 2012 incident, in response to the widespread demand for a more **stringent law and fast track courts**, the law on rape was amended substantially based on the recommendations and deliberations of the **Justice J.S. Verma Committee. The Criminal Law (Amendment) Act, 2013, or Nirbhaya Act, 2013**, was brought in.

Concerns:

Rape cases in spite of the stringent laws:

- There has been a long list of such cases where women across India have been killed and maimed in the most brutal fashion even while we have had a stringent, amended rape law in place and also fast-tracked judicial processes.

The danger of retributive justice:

- From protesters on the ground to the commentary on social media, to MPs in Parliament, the demand for the instant killing of the accused from all corners created the public opinion for the abandonment of the rule of law that appears to have led to the incident.
- Public responses that equate judicial outcomes and “**justice**” to **immediate and quick retribution are not universal, nor just**. The ends of justice are not served by wanton killing and retributive blood lust. The course of justice cannot be determined by the grief and grieving of victims’ families.
- Retributive justice may **not be the way to go in a democratic country** that prides itself on its unprecedented historical legacy of resisting violence in fundamentally non-retributive ways.

Inconclusive case:

- In the given case, four suspects were apprehended and shot in custody within a week, without the **criminal investigation** having commenced in any substantive way and without giving a chance for the law to operate.
- The police personnel have caused **the investigation of the crime of rape and murder to abate** by killing the suspects.

Police action:

- There is no law in force in India that authorises the police to kill. The plea of self-defence cannot be used to rationalise a targeted, premeditated killing of suspects in custody. There is nothing to suggest that the four suspects posed a threat to the lives of the police personnel since they were admittedly in custody and, therefore, presumably unarmed.

Constitutional provisions:

- There is a **procedure prescribed by the law for criminal investigation**. This is a procedure embedded in **constitutional principles** and honed over decades of thinking on keeping constitutionalism alive and throbbing through the most testing times. **Article 21 of the Constitution of India** — “**No person shall be deprived of his life or personal liberty except according to the procedure established by law**” — **is fundamental and non-derogable**. The police, as officers of government, are bound by the Constitution — there are no exceptions.

Judicial precedents:

- A core constitutional precept was set out in the **Salwa Judum case in 2011**: “Modern constitutionalism posits that no wielder of power should be allowed to claim the right to perpetrate state’s violence against anyone, much less its own citizens, unchecked by law, and notions of innate human dignity of every individual.” This is the touchstone of the constitutionally prescribed rule of law, which police officers are schooled in as part of their foundational training.
- The [Supreme Court of India](#), by resurrecting Justice H.R. Khanna’s dissent in **Puttaswamy case in 2017, has prescribed the interpretation of Article 21**: It is non-negotiable, non-derogable, and is not suspended even during conditions of Emergency. We are not living under an Emergency, so the duty of care is more onerous on the police. Any argument on the actions being carried out in ‘purported discharge of official duties’ especially involving the death of unarmed persons in custody cannot stand the narrowest test of Article 21.

Way forward:

The need for a competent criminal justice system:

- Sexual assault is pervasive and the **response must be systemic, not episodic**.

- In going through the course of justice, it is extremely important to rise above the heat of the moment and provide moral reassurance and comfort to families, while keeping sight of the **rule of law and constitutional tenets**.
- The Criminal Law (Amendment) Act, 2013, or Nirbhaya Act, 2013, as it is christened, is a testimony to the possibility of **translating public angst into a just law**.
- Justice lies in supporting the affected families in their moment of grief and pain and insisting on a due process that brings the suspects and accused to trial through **a robust, stringent and competent criminal investigation**. This is the challenge before governments and the criminal justice administration, especially the police.

To ascertain the details of the encounter:

- The police have confessions of the suspects while in custody, the evidentiary value of which must be evaluated by the court. The murder of four unarmed suspects in custody must be **investigated, with police personnel required to stand trial**.
- **In 2014, the Supreme Court issued 16 requirements that it said must be met in matters of investigating police encounters**, which will set the standard procedure for a thorough, effective and independent investigation into deaths caused in police encounters. This needs to be pursued in letter and spirit.

The larger picture in mind:

- The pathways of justice are not linear nor without obstacles, but **constitutional morality** must be followed which is non-negotiable.

For more on this issue refer to the following articles:

1. [National shame](#)
2. [Retributive justice](#)

2. Demonising the legal system won't help

Context:

Brutal rape and murder of a 26-year-old veterinarian in Hyderabad and the subsequent death of the four accused in an encounter.

Background:

- Post the condemnable episode there have been views that the **rule of law is not giving women justice** and that at the very least, **laws need to be amended to create a stronger deterrent and provide quicker closure to victims of crimes of sexual violence**.

Concerns:

A flawed argument regarding the lack of rule of law:

- **The charge-sheeting rates in cases of rape as well as rape and murder are higher than that for all other violent crimes, and the conviction rates are higher too**, while the pendency rates are roughly the same as the average for all violent crimes.
- Official statistics on the speed of trials by nature of crime are not maintained; however, there is anecdotal evidence among practising lawyers that the average rape trial in a big city at the trial court stage is now completed within two years, but the appellate process takes longer.

A flawed argument regarding the need for new laws:

- An examination of legal reform recommendations and available judicial data reveals that there is **no new law needed** and in fact, some of the **existing legal provisions are too harsh** in ways that harm both men and women, and **other important legal provisions are not being implemented**.
- The most comprehensive review of the gaps in the laws around sexual harassment and sexual violence came in the aftermath of the 2012 Delhi rape incident in the form of the **Justice Verma Committee Report and its recommendations**. It is worth noting that the report's recommendations began by **acknowledging that existing laws were adequate, but some improvements could be made**.
- The report's key recommendations were centred at **improving the status of women in non-legal ways** as well, but its legal recommendations included a much-needed broadening of the definition of rape.
- There is no doubt that the anguish or the "outrage" of people in the aftermath of such horrific crimes are justified and, for the most part, well-intentioned. However, hard cases have already resulted in bad laws in India, and the **clamour for new laws may not be the remedy being sought**.

The danger of stronger laws:

- **The 2013 Criminal Law (Amendment) Act**, which sought to operationalise some of these suggestions, went well beyond what was recommended by the Verma Committee Report.
- It introduced the death penalty for some circumstances around rape, including repeat offences, despite the Verma Committee expressly arguing against this. Subsequent laws have raised mandatory minimum sentences and simultaneously raised the age of consent.
- These changes have had a few worrisome results.
- **There has been further criminalisation (with longer sentences) of consenting underage couples.**
- **The stronger laws have removed any discretion in minimum sentencing from the hands of judges.** There is evidence from other fields of law that removing such discretion actually lowers the rate of conviction.
- Two of the largest categories of rape cases pertained to consenting couples criminalised by the woman's family (over 40% of the cases in Delhi) and 'breach of promise to marry' (over 25%). **The strong laws in place will not be able to address these cases and could, in fact, lead to hurdles to ensuring justice.**
- By abandoning principles of justice to calm the rage, we are making the country more savage and less safe for women.

Neglected domains:

- There is no legal protection for adult men from rape, and under the **new Transgender Persons (Protection of Rights) Act**, the sexual abuse of a transgender person carries a maximum sentence of two years only.

Way forward:

Avoiding the wilful delay of judicial processes:

- There remain instances, particularly when the accused is a powerful person, where the process of exhausting the individual's pre-trial options, including attempts to quash charges or shift the trial to a friendlier city, makes a mockery of a fast-track case.
- The argument here is not that the accused should not receive the full range of pre-trial legal options guaranteed by law, but that they are **heard at a pace that maintains the spirit of providing speedy justice to the complainants**.

Bettering Implementation:

- There is a **need for implementational improvements in existing laws**. The fact that the police were able to ask worried parents to return home without filing an FIR though it constitutes a punishable act for the police speaks of implementational lacunae.
- Victims still face cross-examination about their past sexual histories. There is still little by way of **rehabilitation or even therapy offered to victims**. There is a need to address this aspect.

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

Category:INTERNATIONAL RELATIONS

1. An Asian engine driven by India and China

Context:

The **emerging uncertainty in global affairs** and the **need for closer collaboration between India and China**.

Fundamental transformation in global affairs:

- The world today is undergoing a fundamental transformation and there are several facets to the emerging uncertainty.
- **Traditional and non-traditional security threats** (economic and military competition, climate change, piracy, radical ideology, cyber threats, drug and human trafficking, and energy and food security) have **grown in magnitude**.
- Power, whether economic, political or military, is fractured. There has been **increasing multi polarity and the associated power struggles**. There is less multilateralism but greater multi-polarity. **Hedging and multi-alignment are the order of the day**.
- Trade and technology are at the heart of a new round of competition and contestation.
- **Nationalism and regionalism are on the rise** which threatens to disrupt global cooperation.

Obstacles ahead:

Lack of effective international institutions:

- At the broadest level, the inadequacies of the post-World War II international institutions are showing up because of the **complexities and uncertainties characterising global politics and the economy today**. The **old consensus is fraying** and a new consensus is yet to emerge.
- **The withdrawal of US from major international institutions** like the UNESCO and the Paris climate deal has had a debilitating effect on these institutions and deals. This threatens to derail the progress made in these domains.

Rising risk of protectionism:

- **The liberal trading order has encountered protectionism in the form of tariff and non-tariff barriers**, which explains why India's service exports which touch \$29.6 billion in the U.S. market, and pharma products, especially generic drugs, which account for 20% of global generic medicines, have barely been able to make a mark in the Chinese market.
- There is a looming danger for developing countries on account of **'zero-sum' mercantilism and rising protectionism in western economies**. There is no doubt that the U.S.-China trade war has been disruptive.

Economic pressures:

- **Geopolitical considerations are increasingly driving trade and investment decisions** and the growing uncertainty has dampened the business sentiments.
- **Worryingly, the global economy is likely to grow at its slowest pace in a decade, at 3% in 2019.**
- Today, the **momentum in manufacturing activity has weakened** to levels unseen since the global financial crises. Investor and business confidence even in emerging markets is at a low ebb. **Low productivity growth and ageing demographics in advanced economies have further compounded the problem.**
- Most countries appear to be financially vulnerable. **Key anchors in the global economy, including China, are experiencing a slowdown.**

Rise of China:

- **The geo-economic forces unleashed by China's economic rise are redefining the geo-strategic landscape of the Indo-Pacific region.** There is the scope for power play in the region which threatens to derail peace and stability of the region.

Uncertainty in Europe:

- Europe is in the throes of a major readjustment in the context of **Brexit**. This might apart from affecting the economy of the world will lead to instability in this otherwise peaceful and developed part of the world.

Growing relevance of Asia:

- Even amidst the downturn in global economy and rising uncertainty, **Asia is witnessing the simultaneous rise of several powers.**
- **Global engines of economic growth over the past three decades have shifted to Asia**, first to the Asia-Pacific and now, more broadly, to the Indo-Pacific region that includes South Asia.
- **The continent, home to over half the global population**, has emerged as the new fulcrum for geo-economic and geo-strategic realignments. High economic growth rates across the region are accompanied by some of the highest military expenditures in the world.

Growing relevance of China and India Relations:

Shaping trade, economy of the world:

- Both **India and China are expected to contribute to global economic growth in the future.**
- India is also transforming into a knowledge-based, skill-supported and technology-driven society. **A liberal FDI regime combined with a youthful demographic profile makes India an attractive destination.**

Common concerns:

- Today, the global energy market is more favourable to consumers in the face of a supply side glut. **OPEC and non-OPEC oil and gas producers have come together to prevent a fall in energy prices. This should be a common concern for China and India.** As two of the world's biggest importers of oil and gas, the two nations should have **a joint consultative mechanism to protect the interests of consumers.**

Bilateral relations:

- India attaches great importance to its relations with China, a large trade partner in goods. **Since 2015, there has been a spurt in Chinese FDI in India (at around \$8 billion).**
- There is great scope for **China to participate in flagship initiatives such as the ‘Smart Cities Mission’ and ‘Skill India’ programmes.**
- **As the world’s second-largest economy, China can and must play a constructive role globally and within Asia to help the world return to higher growth rates.**

Concerns:

- **Bilateral trade Between India and China today is approximately \$95 billion. India faces a huge and rising trade imbalance.** The decision at the Mamallapuram Summit, in October, to set up a new mechanism to discuss the trade imbalance, is aimed at addressing this issue.
- **Cheaper imports from China, which practices “state capitalism”,** threaten domestic manufacturing in India. Movement of talent and the services sector, important for India, have not received satisfactory attention. Many of these concerns are central to India’s position on **the Regional Comprehensive Economic Partnership (RCEP).**
- **As China’s presence in South Asia grows, greater transparency in its actions and closer consultations with India are also necessary to help allay concerns.** China should also be mindful of its forays into the Exclusive Economic Zone of others.

Cooperation in multilateral forums:

- **As members of several multilateral institutions, India and China are in a unique position to give shape to their economic destinies.** There are suggestions that the era of the World Trade Organisation (WTO)-anchored, Most Favoured Nation (MFN)-based regime is drawing to a close and that the future lies in a web of free trade agreements. However, there is still scope for India and China to work together to **strengthen the WTO.**
- **The RCEP should have a wider ambit, including trade in services.** Many countries (especially Japan which still boasts the world’s second-largest developed economy) have openly favoured a more accommodating position that addresses India’s concerns and facilitates its joining the RCEP. **China too should pro-actively work to ensure India’s membership.**

Joint projects:

- Beyond jointly training Afghan diplomats under the **“India-China Plus One” framework,** China and India could **explore the potential to work together on Asian infrastructure and connectivity development** on the basis of equality and an open and transparent model under **the Asian Infrastructure Investment Bank (AIIB).**

Conclusion:

- There is enough room for all Asian countries to prosper together. **An Asia of rivalry will hold back the region’s development. It is the Asia of cooperation that will shape the coming century of the world.**
- Asia’s rise is linked to peace and stability and a vibrant bilateral relationship between India and China is a must for this to happen.

F. Tidbits

Nothing here for today!!!

G. Prelims Facts

1. Motion to suspend 2 Cong. MPs to be moved today

Procedure in Lok Sabha:

- Rule Number 373 of the **Rules of Procedure and Conduct of Business** states that in case the Speaker is of the opinion that the conduct of any member is “grossly disorderly”, he or she may direct that member to “withdraw immediately from the House”. The member is required to “do so forthwith”, and stay away from the “remainder of the day’s sitting”.
- The Speaker may invoke Rule 374A in case of “grave disorder occasioned by a member coming into the well of the House or abusing the Rules of the House, persistently and wilfully obstructing its business by shouting slogans or otherwise”. The member concerned, “on being named by the Speaker, stands automatically suspended from the service of the House for five consecutive sittings or the remainder of the session, whichever is less”.
- **While the Speaker is empowered to place a member under suspension, the authority for revocation of this order is not vested in him.** It is for the House, if it so desires, to resolve on a motion to revoke the suspension.

Procedure in Rajya Sabha:

- Chairman of the Rajya Sabha is empowered — under Rule Number 255 of its **Rule Book**— to “direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately” from the House. “...Any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day’s meeting.”
- The Chairman may “name a member who disregards the authority of the Chair or abuses the rules of the Council by persistently and wilfully obstructing” business. In such a situation, the **House may adopt a motion suspending the member** from the service of the House for a period not exceeding the remainder of the session. **The House may, however, by another motion, terminate the suspension.**
- **Unlike the Speaker, the Rajya Sabha Chairman does not have the power to suspend a member.**

2. Panel pulls up 19 States for tyre disposal

- India discards about 100 million tyres every day and only a fraction of it is recycled. India is also responsible for 6% of the global tyre waste, according to a 2017 report by environmentalist group Chintan.
- **India is also a recipient of used tyres from Australia and the U.K., which are sent for recycling and disposal.**
- **The National Green Tribunal in 2014 prohibited used tyres from being burnt in the open or being used as fuel in brick kilns, because of the toxic emissions. Pyrolysis was recommended as an acceptable mode.**
- More than 40% of tyre pyrolysis units were not complying with rules, the NGT observed in April 2019, after it sought a report from the CPCB.
- **Tyre pyrolysis refers to a technique of breaking down used tyres in the absence of oxygen. Shredded tyres, at temperatures between 250° C and 500° C, produce liquid oil and gases.**

- While this is considered a safer technique than burning tyres, **pyrolysis leaves fine carbon matter, pyro-gas and oil as residue and the inadequate management of these by-products poses health risks.**

3. The name's Bond, Bharat Bond

- **Bharat Bond Exchange Traded Fund (ETF)** will be a basket of bonds issued by central public sector enterprises/undertakings or any other government organization bonds. It will invest in a portfolio of bonds of state-run companies and other government entities. The Bharat Bond will be tracking the Nifty Index. Bharat Bond ETF will have a fixed maturity of three and ten years and will trade on the stock exchanges.
- **Bharat Bond ETF is India's first corporate bond exchange-traded fund, comprising the debt of state-run companies.**
- This will allow **retail investors to buy government debt.** It will help **deepen the bond market** and allow retail investors an opportunity to participate in it.

For more information: [Click Here](#)

H. UPSC Prelims Practice Questions

Q1. Which of the following statements is/are correct with respect to the Lokpal?

1. Lokpal is established under the Lokpal and Lokayuktas Act 2013.
2. The serving Prime Minister does not come under the ambit of Lokpal.
3. It is only involved in investigating and inquiry into complaints and not with the subsequent prosecution process.
4. Indian public servants working abroad shall not come under the ambit of Lokpal.

Options:

- a. 1 only
- b. 1 and 2 only
- c. 1,2 and 3
- d. 1,2,3 and 4

Answer: a

Explanation:

- The serving PM also comes under the ambit of Lokpal except with some safeguards. The Lokpal, however, cannot inquire into any corruption charge against the Prime Minister if the allegations are related to international relations, external and internal security, public order, atomic energy, and space, unless a full Bench of the Lokpal, consisting of its chair and all members, considers the initiation of a probe, and at least two-thirds of the members approve it. Such a hearing should be held in camera, and if the complaint is dismissed, the records shall not be published or made available to anyone.
- The Act mandates the setting up of **a special wing to prosecute public servants for corruption.**
- Indian public servants working abroad shall also come under the ambit of Lokpal.

Q2. Which of the following statements is/are correct?

1. Elephant corridors are narrow strips of land that connect two large habitats.
2. Elephant herds are in the habit of migrating across large areas annually.

Options:

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

Answer: c

Explanation:

- Elephant corridors are narrow strips of land that connect two large habitats. In a 2017 study, Delhi-based non-profit, Wildlife Trust of India (WTI), in collaboration with “Project Elephant” and UK-based non-profit “Elephant Family”, has identified 101 elephant corridors in India.
- Cattle grazing, coffee and tea plantations, private tourist resorts, electric fences, expansion of agricultural fields, vehicular traffic especially during night hours and human settlements along elephant corridors pose a greater threat for the free movement of elephant herds that are in the habit of migrating across 350-500 sq km annually.
- Increasingly fragmented landscapes are driving the giant mammals more frequently into human-dominated areas, giving rise to more man-animal conflicts, experts have found. Maintaining elephant corridors is therefore of crucial importance to both elephant and human habitats.
- Elephant corridors are crucial to reduce animal fatalities due to accidents and other reasons. So fragmentation of forests makes it all the more important to preserve migratory corridors.
- The movement of elephants is essential to ensure that their populations are genetically viable. It also helps to regenerate forests on which other species, including tigers, depend.

Q3. which of the following pairs is wrongly matched?

- a. Rudrasagar Lake: Tripura
- b. Keoladeo National Park : Rajasthan
- c. Hokera wetland: Himachal Pradesh
- d. Deepor Beel: Assam

Answer: c

Explanation:

Hokera wetland: Jammu and Kashmir

[Ramsar sites in India and their locations.](#)

Q4. Which of the following statements is/are correct?

1. Dengue is a mosquito-borne viral infection.
2. There is no specific treatment for dengue.
3. The female Aedes aegypti mosquito is the main vector that transmits the viruses that cause dengue.

Options:

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

Answer: b

Explanation:

Self-explanatory

I. UPSC Mains Practice Questions

1. Discuss the concerns associated with the recent episode of the brutal rape and murder in Hyderabad and the subsequent death of the four accused in an encounter. (10 marks, 150 words)
2. An Asia of rivalry will hold back the region's development. It is the Asia of cooperation that will shape the coming century of the world. Comment. (10 marks, 150 words)

Read previous [CNA](#).