

14 Feb 2020: UPSC Exam Comprehensive News Analysis

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B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. Publish criminal history of candidates, SC orders parties

Context:

Flagging the alarming increase in the incidence of criminals in politics, the [Supreme Court](#) has ordered

political parties to publish the entire criminal history of their candidates for the Assembly and [Lok Sabha](#) elections along with the reasons that provoked them to field suspected criminals over decent people.

Concern:

- Justice Nariman highlighted that over the last four general elections, there had been an alarming increase in the incidence of criminals in politics. In 2004, 24% of the Members of Parliament had criminal cases pending against them; in 2009, that went up to 30%; in 2014 to 34%; and in 2019 as many as 43% of MPs had criminal cases pending against them.
- The 2018 Constitution Bench judgement that formed the basis for the recent verdict said "Rapid criminalisation of politics cannot be arrested by merely disqualifying tainted legislators but should begin by cleansing political parties."

Verdict:

- The Bench ordered political parties to submit compliance reports with the [Election Commission of India](#) within 72 hours or risk contempt of court action.
- The information should be published in a local and a national newspaper as well as the parties' social media handles.
- It should mandatorily be published either within 48 hours of the selection of candidates or less than two weeks before the first date for filing of nominations, whichever is earlier.
- The judgment is applicable to parties both at the Central and State levels.

Category: INTERNATIONAL RELATIONS

1. USTR takes India off developing country list

Context:

The Office of the United States Trade Representative (USTR) has published a notice, amending lists of developing and least-developed countries that are eligible for preferential treatment with respect to CVD investigations.

Details:

- To harmonise U.S. law with the World Trade Organization's (WTO) Subsidies and Countervailing Measures (SCM) Agreement, the USTR had, in 1998, come up with lists of countries classified as per their level of development.
 - These lists were used to determine whether they were potentially subject to U.S. countervailing duties.
- The 1998 rule is now "obsolete" as per the USTR notice.
- Countries not given special consideration have lower levels of protection against a CVD investigation.
- A CVD investigation must be terminated if the offending subsidy is de minimis (too small to warrant concern) or if import volumes are negligible.
 - The de minimis thresholds and import volume allowance are more relaxed for developing and least-developed countries.

Talking business

■ India was in the 'developing country' list till February 10, eligible for relaxed norms

■ Country was taken off the list, as were Brazil, Indonesia, Malaysia, Thailand, Vietnam

■ New lists include 36 developing, 44 least developed nations

■ In 1998, U.S. had come up with lists of nations classified as per level of development

■ Lists helped determine if they were subject to U.S.' CVDs (countervailing duties)

■ A CVD probe was to be terminated if offending subsidy was too small

■ 1998 rule is now 'obsolete' as per USTR notice



Criterion:

The USTR used the following criteria to determine whether a country was eligible for the 2% de minimis standard.

(1) Per capita Gross National Income or GNI

(2) Share of world trade

(3) Other factors such as Organisation for Economic Co-operation and Development ([OECD](#)) membership or application for membership, EU membership, and Group of Twenty (G20) membership.

Concerns:

- The U.S. government has changed an administrative rule, making it easier for it to impose countervailing duties (CVDs) on goods from India and certain other countries.
- The new lists consist of 36 developing countries and 44 least developed countries.
- India was, until February 2020, on the developing country list and therefore eligible for these more relaxed standards. It has now been taken off of that list.
- India, along with Brazil, Indonesia, Malaysia, Thailand and Vietnam were taken off the list since they each have at least a 0.5% share of the global trade, despite having less than \$12, 375 GNI (the World Bank threshold separating high-income countries from others).
- India was taken off the list also because — like Argentina, Brazil, Indonesia and South Africa — it is part of the G20.

2. Hafiz Saeed's arrest is long-pending international obligation of Islamabad: govt. official

Context:

Hafiz Saeed, head of the Jamaat-ud-Dawa (JuD) and the alleged mastermind of the [2008 Mumbai terror](#)

[attacks](#), has been sentenced to jail in Pakistan for five-and-a-half years on terror finance charges.

Details:

In the last meeting of the [FATF](#) in November 2019, Pakistan was warned that it would remain on the 'Grey' list if tough actions were not initiated against terror outfits and terror financing individuals in the country.

This issue has been covered in the 13th February 2020 Comprehensive News Analysis. [Click here](#) to read.

C. GS 3 Related

Category: ECONOMY

1. Soon, a panel to address fiscal policy issues

Context:

Highlighting the need to have a fiscal road map that covers the Centre and the State government, the Fifteenth Finance Commission's Chairman N.K. Singh has said that the commission will soon set up a panel to address issues related to fiscal policy for both the Centre and the States, and present a road map for the same.

Details:

- The panel will be headed by Mr. Singh and have representation from the [Comptroller and Auditor General of India](#), the Reserve Bank of India, the Ministry of Finance, the Fiscal Responsibility and Budget Management (FRBM) panel and some of the States.
- The Commission has also constituted a group on defence and internal security, whose mandate will be to examine whether a separate mechanism for funding of defence and internal security ought to be set up, and if so, how such a mechanism could be operationalised.

Robust legal framework:

- It was added that there wasn't a need for a new legal framework as the [FRBM](#) already gives a robust legal framework.
 - The need of the hour is for the States to align their own FRBM with the new FRBM enacted by the Union Government with the amendments to the earlier one in 2018.
 - Also, there is a need to ensure there is strict compliance on the issues of off-Budget borrowing, contingent liabilities.

Category: ENVIRONMENT AND ECOLOGY

1. 'Time running out to reduce greenhouse gas emissions'

Context:

Five global risks that have the potential to impact and amplify one another in ways that may cascade to create a global systemic crisis have been listed by “The Future of Earth, 2020”, which was released by the South Asia Future Earth Regional Office, Divecha Centre for Climate Change, Indian Institute of Science.

Details:

- The report was prepared with the aim of reducing carbon footprint and halting global warming below 2 degree Celsius by 2050.
- The report, released by K. Kasturirangan, former Chairman, [ISRO](#), lists five global risks:
 - Failure of climate change mitigation and adaptation
 - Extreme weather events
 - Major biodiversity loss and ecosystem collapse
 - Food crises
 - Water crises
- Offering examples of how the interrelation of risk factors play a role, scientists say extreme heat waves can accelerate global warming by releasing large amounts of stored carbon from affected ecosystems, and at the same time intensify water crises and/or food scarcity.
- The loss of biodiversity also weakens the capacity of natural and agricultural systems to cope with climate extremes, increasing our vulnerability to food crises, they point out.

Politics, biodiversity and climate change:

- It is pointed out that over the last 18 months, major assessments by the Intergovernmental Panel on Climate Change, the US National Climate Assessment, and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, have all argued that time is running out to reduce greenhouse gas emissions.
 - This has inspired declarations of a climate crisis or climate emergency by the leaders of more than 700 cities, States and governments.
 - Yet, during 2019, the concentration of carbon dioxide in the atmosphere reached more than 415 ppm.
 - Five years from 2014 to 2018 were the warmest recorded over land and ocean since 1880.
- Right-wing populism, a breed of politics that exploits people’s fears during times of economic decline and growing inequality, and that which focuses on nationalist tendencies to clamp down on borders and reject immigrants is on the rise around the world.
 - It is argued that this often leads to a denial of climate change facts or impacts.
- The report highlights that humans have now “significantly altered” 75% of our planet’s land area; about a quarter of species in assessed plant and animal groups are threatened.
- Strains on food production are expected to increase, as a result of various forces including climate change, biodiversity loss, and a global population on the rise.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

1. A marriage story for everyone

Introduction

Indian society has many religions and myriad castes. Most of the weddings in India are arranged on the basis of religion and caste as per the family norms and customs. People enter the sacred relationship of marriage within their communities. But with changing times and with constant changes in the social milieu, individuals would want to marry their loved ones from a different religion or caste. The Special Marriage Act deals with inter-caste and inter-religion marriages.

The Special Marriage Act is, therefore, a special law enacted to provide for a unique form of marriage by **registration wherein the parties to the marriage do not have to renounce their religion**. It is a legislative tool for social change, an attempt to remove a social barrier to the exercise of individual autonomy.

Special Marriage Act of 1954

- This Act covers marriages among Hindus, Muslims, Christians, Sikhs, Jains and Buddhists.
- This Act applies not only to Indian citizens who belong to different castes and religions but also to Indian nationals who live abroad.

Supreme Court judgments on individual autonomy

Supreme Court has championed the cause of individual **autonomy in matters of love, sex and marriage**, in

- **Shafin Jahan v. Asokan (2018) (Hadiya Case)**
 - The SC said, “The right to marry a person of one’s choice is integral to Article 21 ([right to life](#) and liberty) of the Constitution”.
 - The absolute right of an individual to choose a life partner is not in the least affected by matters of faith.
- **Shakti Vahini v. Union of India (2018)**
 - Any attempt by Khap Panchayats or any other assembly to scuttle or prevent two consenting adults from marrying is absolutely 'illegal'.
 - It said “Liberty, taking the word in its concrete sense consists in the ability to choose.” When the ability to choose is **crushed in the name of class honour** and the person’s physical frame is treated with absolute indignity, a chilling effect dominates over the brains and bones of the society at large.
- **Navtej Johar v. Union of India (2018)**.
 - In Navtej Johar, not only did the Court hold [Section 377 of the IPC](#) to be unconstitutional, it explicitly recognised the rights of the LGBTQ+ community to express their individuality, sexual identity and love on par with heterosexuals, as fundamental to Articles 14 (right to equality), 19 (right to freedom), and 21 (right to life) of the Constitution.

Context

- A petition was recently filed in Kerala High Court **by a male same-sex couple**.
- They challenged the constitutionality of the Special Marriage Act on the ground that **it discriminates against same-sex couples** who want to formalize their relationship through marriage.

- In their plea, the couple stated that they were aggrieved by the provisions of the Special Marriage Act, 1954 **whereby the law only permits a heterosexual (opposite sex) couple to get married** and a homosexual couple like them is denied equal access to the institution of marriage.
 - The text of the Act does not exclude homosexual unions from its ambit expressly, but carries a heterosexual undertone in its language.

Issues

- The Supreme Court in Navtej Johar had recognised the right of same-sex couples to express their sexual identity, right to privacy and non-interference in the conduct of their personal affairs, and the right to be recognized as full members of society.
- To refuse their plea under the Special Marriage Act would cause them very real, tangible damage, considering that **marriage carries a range of legal rights and protections, available during the marriage as well as on its dissolution by divorce** (the right to seek maintenance) or death (the right to inherit property).

Why recognition matters?

- Marriage continues to be the cornerstone of **social legitimacy** and family in India. It leads to human **development and aspiration** which give meaning to their personal lives.
- The social purpose of marriage is to provide **stability**; financial, physical or emotional care and support; sexual intimacy and love to individuals; and to facilitate **procreation and child-rearing**.
 - Whether the couple should have children or not, is for the couple to decide.
 - They may opt for biological children or they may adopt children.
 - When rules for normal couples are not laid why have these rules on the homosexual couple is another argument.
- Therefore, aside from procreation, **none of these objectives are dependent on the gender of the parties** concerned, so much as on the bond they share and their ability to make the relationship work.

Conclusion

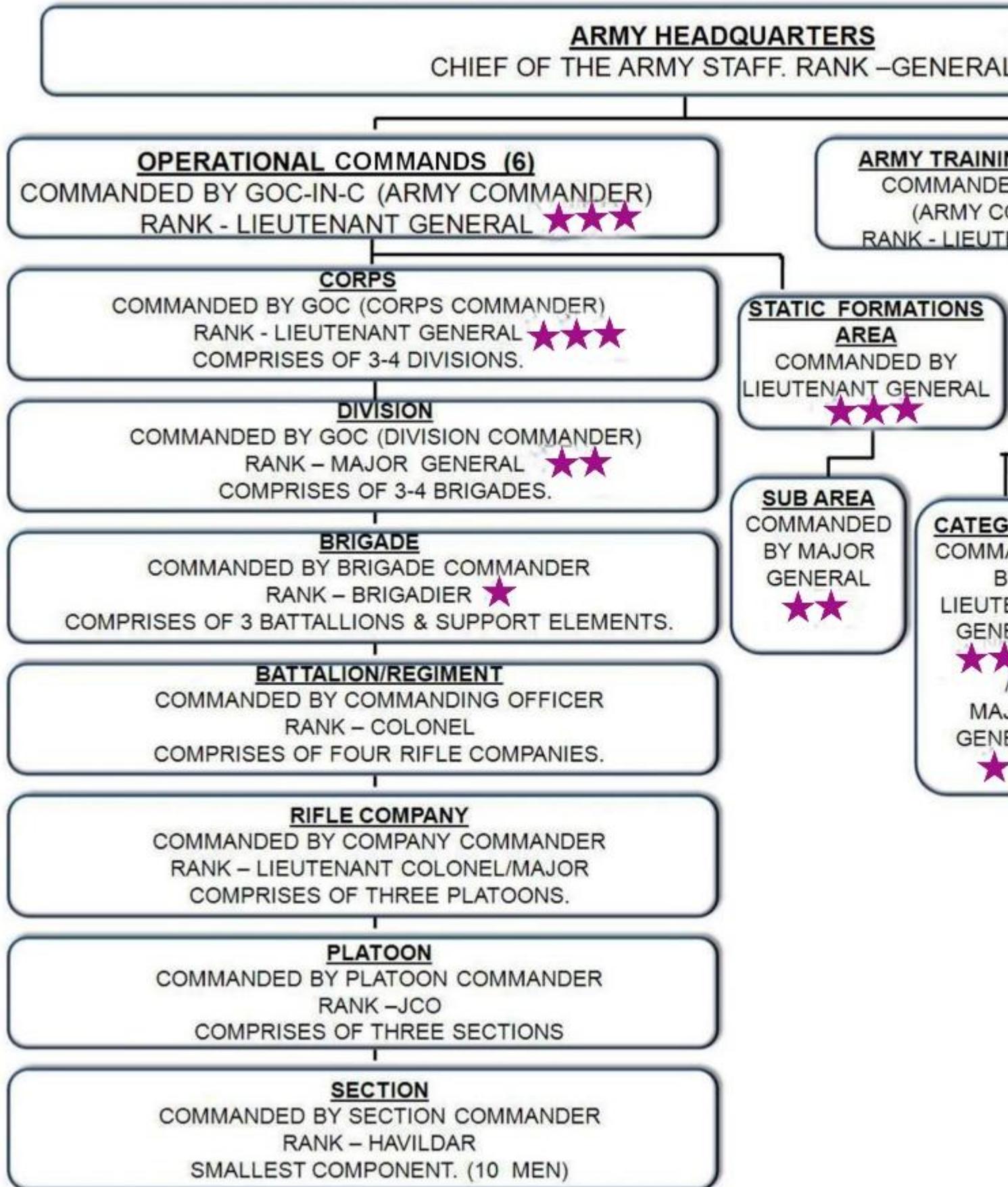
- The petition before the Kerala High Court represents a unique opportunity — a potential **first step towards making marriage, as an institution**, as a legal concept, more accessible and egalitarian, less arbitrary and exclusionary.
- It gives the High Court the chance to prioritize **the fundamental and human rights of the petitioners** over the abstract heteronormative tendency of the majority to deny legitimacy to relationships that challenge oppressive social structures and established hierarchies.
- In other words, its high time **love and logic are given a chance to triumph over homophobic tradition**.

2. Should women be given command posts in the Army?

Background

- The Supreme Court (SC) was hearing a petition which demanded permanent commission for women in the Army.

Structure



What is the issue?

- The Indian Army is what is called a **command-oriented Army**. That is, anyone who has to be given further positions up the chain of command has to first be experienced in command at the level of a full Colonel, a unit command. So far, this was denied to women. That is the main issue.

Arguments put forward by the Govt.

- The central government told the SC that “**motherhood, childcare, psychological limitations**” have a bearing on the employment of women officers in the Army.
 - Family separation, career prospects of spouses, education of children, prolonged absence due to pregnancy, motherhood were a greater challenge for women to meet the exigencies of service.
- Physical Standards: Soldiers will be asked to work in difficult terrains, isolated posts and adverse climate conditions. Officers have to lead from the front. They should be in prime physical condition to undertake combat tasks. The Govt. said women were not fit to serve in ground combat roles.
- Army units were a “unique all-male environment”. The presence of women officers would require “moderated behaviour”.
 - The male troop predominantly comes from a rural background and may not be in a position to accept commands from a female leader.
- The government further said it is also keeping in mind the “greater family demands and danger of them being taken as prisoners of war”.
 - Both male and female prisoners are at risk of torture and rape, but misogynistic societies may be more willing to abuse woman prisoners.

Arguments in government affidavit against commanding posts for women in the Army are wrong and discriminatory

- A quick look at the past records reveals, all the arguments put forth against giving women more responsibility have been answered by the armed forces by giving women greater responsibility in uniform — the IAF has allowed women to become **fighter pilots, and the Army has sent them to tough UN peacekeeping missions globally**.
- The current case in the Supreme Court is not about granting a role to women in combat arms but about the denial of equal opportunity in their existing roles for promotion to higher commands.
 - Women officers **are already commanding platoons, companies and second in command** successfully, with male soldiers accepting orders from them as part of a professional force.
 - Now they are being excluded from commanding a unit, only on the basis that they are women. This argument doesn't hold water.
 - **A professional force does not discriminate on the basis of gender**, it works because of training, norms and culture.
- Denying women the posts will be an “extremely retrograde step” and “will inflict irreparable injury” to their dignity.

Way forward

- There is a **board of officers** to decide whether promotions to the rank of Colonel can take place or not for a particular officer. It's not as if all male officers get automatically promoted as Colonels.
 - In some cases, in some services, less than 30% of male officers are promoted to the rank of Colonel. The decision is made by a board of officers.
 - **Let the same board of officers decide whether a woman officer is fit to command a unit.**
- Women should be judged on the basis of their professionalism and on the basis of merit.

Conclusion

- There is no need to give women any special dispensations but the **government cannot promote**

discrimination on the basis of gender.

- It must move towards gender mainstreaming in the army, and further achieve gender equality by establishing professional standards and adhering to them without any bias.
- Whether man or woman, if someone has demonstrated capability and leadership qualities, their orders will have to be accepted. Soldiers respect professionalism, good leadership, irrespective of whether it is demonstrated by a male or a female officer. In the Army, soldiers are trained to do that.

Category: INTERNATIONAL RELATIONS

1. Hafiz Saeed conviction

Context

- Lashkar-e-Taiba founder (LeT) and Jamat-ud Dawa (JuD) chief Hafiz Saeed was convicted by a Pakistan court in two terror-financing cases and sentenced to five-and-a-half years in prison.
- Saeed and other leaders of his outfits were booked under charges of terror financing.

Who is Hafiz Saeed?

- Hafiz Saeed is the founder and leader of the Islamist terrorist organisation **Lashkar-e-Taiba (LeT)**.
- The organisation was founded in 1990. Some of its goals are aligned with that of Pakistan, including the liberation of Kashmir from India.
- He is a UN-designated terrorist.
- He has a \$10 million bounty on his head by the U.S. government. Moreover, the US Department of Treasury has marked Saeed as a Specially Designated Global Terrorist since 2012.

Attacks by LeT

- LeT has been involved in the 2001 shootout at Parliament.
- Saeed is the mastermind of the 2008 Mumbai terrorist attacks.
- The 2016 attack on the military headquarters in Uri was also planned by LeT.

Previous Arrests

- In 2017, he was arrested by the Pakistani government for raising funds for JuD, thereby violating UN sanctions.
 - He was, however, released in November 2017, when the courts refused to extend the duration of his house arrest due to lack of evidence.
- Saeed was put under house arrest several times, only to be released once the international attention turned away.

Why does Hafiz Saeed conviction matter?

- The conviction of Hafiz Saeed by an anti-terrorism court in Pakistan is the direct result of the **intensifying pressure of the Financial Action Task Force**.
 - It was the FATF's placement of Pakistan in the "grey list", and repeated warnings that Pakistan's non-compliance with commitments to clean up its act could result in a blacklisting, that led to a crackdown against Saeed.
- Saeed's conviction could also be a reflection of Pakistan's changing approach towards its treatment

of terror groups, given the FATF's actions and warnings.

Conclusion

- This is the first time Pakistan has been forced to convict a man running a proxy army for its military and nurtured as a VIP for years, as a terrorist under its own law. India should welcome the sentencing. But the question remains whether its actions are half-hearted steps aimed at avoiding the wrath of the international community or part of a genuine drive against terror.
- So, the international community shouldn't let up its pressure on Pakistan. Islamabad should be asked to take not just legal action against terror financing, but also hard measures against terror groups and infrastructure.

F. Tidbits

1. 11K trees to be cut for Jewar airport

What's in News?

An apex committee of the Union Environment Ministry has cleared the cutting of 11,182 trees for the proposed Jewar airport in Uttar Pradesh.

- A survey by the Wildlife Institute of India had identified six species of mammals and 60 bird species in and around the proposed airport site. These included blackbuck, nilgai, golden jackal, jungle cat, sarus cranes, Egyptian vulture and the Indian peafowl; 99 perennial water bodies were also recorded across the landscape.
- The organisation has prepared a conservation plan for the project. The project developer would also have to restore water bodies and fill 14 ponds in the region.
- The panel of experts has however directed that this is conditional upon 1,12,820 trees being planted at alternative sites and the paying of an environmental cess worth Rs. 35 crore by the State's Directorate of Civil Aviation.
- The cess would be spent in villages on the construction of toilets and community water tank as part of Swachh Bharat Abhiyan, construction of a health centre, organising health camps, refurbishing existing schools, strengthening the technical training institute at Jewar, solid waste management and improving village roads as well as infrastructure.

2. S&P retains India's rating with 'stable outlook'

What's in News?

Global ratings agency Standard & Poor's has affirmed India's sovereign rating at 'BBB-' with a stable outlook, saying the country's GDP growth is likely to gradually recover towards longer-term trend rates over the next two to three years.

- 'BBB' rating refers to adequate capacity of the rated entity to meet its financial commitments.
- It expects the economic growth rate to improve to 6% during 2020-21, 7% in the subsequent fiscal and 7.4% thereafter.

- The agency also pointed out that India's fiscal position remains precarious, with elevated fiscal deficits and net government indebtedness.

G. Prelims Facts

1. Experts' meet to discuss restoration of Sun temple

What's in News?

A plan to restore and preserve the nearly 800-year-old Konark Sun temple in Odisha would be drawn up soon.

Konark Sun Temple:

- Konark Sun Temple is located in East Odisha near the sacred city of Puri.
- It is a 13th century temple and a UNESCO World Heritage Site.
- It was declared a UNESCO world heritage site in 1984.
- It had been filled with sand and sealed by the British authorities in 1903 to stabilise the structure.
- The temple is designed in the shape of a colossal chariot. Dedicated to the sun god, the temple marks the highest point of achievement of Kalinga architecture.

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with respect to "COVID-19" recently seen in news:

1. Middle East Respiratory Syndrome (MERS) is caused by a coronavirus.
2. "COVID-19" is a strain of human coronavirus.
3. There are seven identified strains of zoonotic coronaviruses.

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: d

Explanation:

Middle East Respiratory Syndrome (MERS) is caused by a coronavirus. There are seven identified strains of zoonotic coronaviruses/human coronaviruses. "COVID-19" is a strain of human coronavirus. "Co" stands for "corona", "vi" for "virus" and "d" for "disease", while "19" was for the year, as the outbreak was first identified on December 31, 2019. There are seven identified strains of zoonotic coronaviruses.

1. Human coronavirus 229E (HCoV-229E)

2. Human coronavirus OC43 (HCoV-OC43)
3. SARS-CoV
4. Human coronavirus NL63 (HCoV-NL63, New Haven coronavirus)
5. Human coronavirus HKU1
6. Middle East respiratory syndrome coronavirus (MERS-CoV)
7. Novel coronavirus (2019-nCoV) – Wuhan pneumonia or Wuhan coronavirus

Q2. Consider the following statements:

1. The Generalised System of Preferences by the U.S. is a part of WTO's Most Favored Nation (MFN) clause.
2. The United States Trade Representative has removed India from the "Developing Countries" list.

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

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

Answer: a

Explanation:

- Under the normal trade laws, the WTO members must give equal preferences to trade partners. There should not be any discrimination between countries. This trade rule under the WTO is called the Most Favored Nation (MFN) clause. The MFN instructs non-discrimination or any favorable treatment to a particular country. At the same time, the WTO allows members to give special and differential treatment to developing countries (like zero tariff imports). This is an exemption for MFN. The MSP given by developed countries including the US through Generalised System of Preferences is an exception to MFN.
- The Office of the United States Trade Representative (USTR) has published a notice, amending lists of developing and least-developed countries that are eligible for preferential treatment with respect to CVD investigations. India was, until February 2020, on the developing country list and therefore eligible for these more relaxed standards. It has now been taken off of that list.

Q3. Consider the following statements:

1. Konark Sun Temple located in Odisha is a 13th century temple and a UNESCO World Heritage Site.
2. The temple earlier, called Black Pagoda, is an example of Kalinga architecture.
3. It was built during the reign of the Eastern Ganga King Narasimhadeva-I.

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

- a. 1 only
- b. 1 and 2 only
- c. 1, 2 and 3
- d. None of the above

Answer: d

Explanation:

All the statements are correct.

Q4. The Fiscal Responsibility and Budget Management (FRBM) Act requires the government to lay before the parliament, which of the following policy statement/s?

1. Medium Term Fiscal Policy Statement
2. Fiscal Policy Strategy Statement
3. Macroeconomic Framework Policy Statement
4. Medium Term Expenditure Framework

Choose the correct option:

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

Answer: c

Explanation:

The Fiscal Responsibility and Budget Management (FRBM) Act, 2003 was enacted with a view to provide a legislative framework for the reduction of deficit, and thereby debt, of the Government to sustainable levels over a medium-term so as to ensure inter-generational equity in fiscal management and long term macro-economic stability. FRBM Act requires the government to lay before the parliament four policy statements in each financial year namely, Medium Term Fiscal Policy Statement, Fiscal Policy Strategy Statement, Macroeconomic Framework Policy Statement and Medium Term Expenditure Framework (MTEF).

I. UPSC Mains Practice Questions

1. Illustrate with examples, how the Supreme Court has laid emphasis on individual autonomy over societal norms with respect to marriage. (15 Marks, 250 Words).
2. Should women be given command posts in the Army? Critically Comment. (10 Marks, 150 Words).

