

29 Feb 2020: UPSC Exam Comprehensive News Analysis

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B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. President gives nod for delimitation in the NE States

Context:

The order issued by the **Ministry of Law and Justice** on delimitation exercise in the States of Assam, Arunachal Pradesh, Manipur and Nagaland.

Background:

- The **delimitation exercise** meant to readjust the division of each State and Union territory into territorial constituencies for the purpose of elections to the Lok Sabha and to the State Legislative Assemblies **on the basis of 2001 census figures** was completed by November 26, 2008.

- However, the delimitation exercise under aegis of the Delimitation Commission was **postponed in Assam, Arunachal Pradesh, Manipur and Nagaland.**
 - Given the unique problems of the region, there were concerns that the delimitation exercise would further destabilize the peace and public order in the region.

Details:

- The President has cancelled the earlier order of the Union government that deferred the delimitation exercise in the States of Assam, Arunachal Pradesh, Manipur and Nagaland.
- The latest Law Ministry order noted that there has been **a significant improvement in the security situation and a reduction in insurgency incidents**, making the situation conducive for carrying out the delimitation exercise now.

C. GS 3 Related

Category: ECONOMY

1. Coronavirus infects global markets, investors dump equities

Context:

The spread of the n-CoV and its **impact on the global economy.**

Background:

- There have been a **rising number of new COVID-19 cases being reported outside China.**
- About **60 new countries** as far apart as Mexico, Belarus, the Netherlands and New Zealand have reported new cases, with Nigeria, Africa's largest economy, reporting its first case.
- The World Health Organization Director-General has stated that the **virus has a "pandemic potential"**, which has added to the global panic.

Details:

- Rating agency Moody's had warned that the impact of **disruptions in global supply chains, investment pullbacks by companies and slowing travel could trigger a global recession** in the first half of 2020.
- Investors are fearful that the outbreak of COVID-19 may lead to a global recession, as the **outbreak is spreading to the world's largest economy — the U.S.** as well as Europe which will adversely impact the global supply chains big time and derail economic growth.
- In the backdrop of the global spread of the Coronavirus and fears of a global recession, investors have **retreated back out of stocks and commodities towards the safer option of government bonds.** As a result of this, the major stocks of the world are tumbling to new lows.
- Markets seem to be frightened by the uncertain impact of the virus on global economic health.

U.S.:

- The U.S. markets appear set to experience their worst week since the 2008 global financial crisis. **The broad-based S&P 500 index has witnessed a decline.**
- The yields on U.S. Treasury bills have fallen sharply as investors have embraced the bills' relative safety over equities.

- **The bond markets have displayed an inverted yield curve** where short-term bills yield more than long-term ones, signifying nervousness over economic prospects. **General economic wisdom holds that an inverted yield curve is the signal of a recession.**
- Subsequent to Wall Street experiencing a rout, global markets have followed the trend.

Global stock exchanges:

- Indices across the world, beginning with **Tokyo's Nikkei, Seoul's Kospi** and European indices such as the **FTSE 100 in London and Frankfurt's DAX**, have all tanked, as investors have rushed to sell their shares.
- The global markets have witnessed a tailspin.

Indian Scenario:

- **The BSE benchmark Sensex has recorded its second-worst drop in absolute terms.** The BSE Sensex has shrunk by 3.64%.
- Reflecting the turmoil in the stock markets, **the rupee hit a six-month low against the dollar**, at Rs. 72.27, before recovering marginally to close at Rs. 72.21. **The RBI had to intervene in the foreign exchange market by selling dollars** to control the fall.
- **Foreign Portfolio Investors (FPIs) sold equities** worth nearly Rs. 1,500 crores.
- The fall in the markets would have been steeper if **domestic institutional investors**, that include **insurance firms and mutual funds**, did not step up their buying with net purchases of almost Rs. 7,700 crores.

Commodity prices:

- Given the likely chance of recession leading to reduced demand for commodities in the market, **the commodities markets have witnessed declining prices.**
- **Oil prices** have experienced their worst week since 2016, with the prices of the benchmark Brent crude falling to as low as \$50.51 a barrel. The **metal prices** have also fallen by up to 6%.

Borrowing rate:

- Given the high possibility of the U.S. going in for accelerated rate cuts as a response to a possible economic recession, **the global borrowings benchmark LIBOR experienced its worst single-day drop in a decade.**
 - The London Interbank Offered Rate (LIBOR) is a benchmark interest rate at which major global banks lend to one another in the international interbank market for short-term loans.

2. Growth slows to 4.7% in Q3, 'bottomed out', says Centre

Context:

Economic data released by the **National Statistical Office (NSO).**

Details:

- **The Gross Domestic Product expanded by 4.7% in the third quarter.** This marks a deceleration as compared to 5.6% in the previous quarter.
- The major factor seems to be the **slump in the manufacturing sector** which has weighed on the overall economic momentum.

Concerns:

- The growth rate of 4.7% is **the slowest pace in about seven years**.
- The Gross Domestic Product (GDP) growth had registered 5.6% in the corresponding quarter of 2018-19, as per official data. There seems to be a **steady decline in the growth numbers**.
- There is the possible impact of the global spread of the Coronavirus outbreak in China on India's economy. This could **further slowdown Indian economy owing to the global recession**.

Positives:

- **The NSO revised upward its GDP growth estimates** for the first two quarters of the current fiscal year: growth in the first quarter of 2019-20 was pegged at 5.6%, higher than its earlier estimate of 5%. For the second quarter too, it increased the estimate to 5.1%, from 4.5%.
- The Central government has asserted that the **slowdown had bottomed out** and the economy will witness an acceleration in the coming quarters.
- There has been a **recent increase in core sector output**.
 - According to **data released by the Commerce Ministry, Eight core industries recorded a 2.2% growth in January 2020** helped by expansion in the production of coal, refinery products and electricity.
 - The eight-core sectors **recorded negative growth from August 2019 to November 2019**.
 - The turnaround in growth in the eight core sector industries index in December 2019 and January 2020 **augurs well for the manufacturing sector**.
- The government's **increased spending, especially on infrastructure**, may have helped spur a modest economic recovery. They have been positive signs in foreign direct investment, mining and agriculture, and demand in rural areas.

Category: ENVIRONMENT AND ECOLOGY

1. Summer to be hotter than usual says IMD

Context:

Forecast by the **India Meteorological Department (IMD)**.

Details:

Higher temperatures:

- The forecast states that the **summer months from March to May will be hotter than normal**.
 - The forecast indicates that the MAM (March-May) season averaged temperatures are likely to be at least half a degree hotter than normal over North-West, West and Central India and some parts of South India.
- The season averaged maximum temperature is likely to be warmer than normal in Himachal Pradesh, Uttarakhand, West Rajasthan and Arunachal Pradesh.
- The other regions are likely to be warmer than normal by over 0.5°C to <1°C.

Heatwave conditions:

- **Above normal heatwave conditions are also likely in the core heat wave zone** during the MAM (March-May) season.

- The core heatwave zone covers the States of Punjab, Himachal Pradesh, Delhi, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Gujarat, Madhya Pradesh, Bihar, Chhattisgarh, Jharkhand, West Bengal, Odisha and Telangana and parts of Maharashtra and coastal Andhra Pradesh.

Monsoons:

- **A hot summer is a key factor to a timely monsoon.** However, the impact of a **warming ocean and its impact on the monsoon** is likely to be more apparent around April when the IMD issues its first forecast for the monsoon.
 - **The South-West monsoon in 2019 (June to September) delivered rainfall 10% above average** in the country which makes it the highest in 25 years.

Category: AGRICULTURE

1. Farmers' not to be hurt by govt. move to cut crop cover premium: Bhutani

Context:

Revamping of the **Pradhan Mantri Fasal Bima Yojana (PMFBY)**.

Background:

- As part of the revamping of the Pradhan Mantri Fasal Bima Yojana (PMFBY), the **Centre has reduced its contribution to the crop insurance schemes.**
- The centre has slashed its **share of the premium subsidy** from the current 50% to just 25% in irrigated areas and 30% for unirrigated areas from the Kharif season of 2020.

Details:

- The Centre had capped its subsidy for premium rates up to 30% for unirrigated crops and 25% for irrigated areas and crops.
- If the premium for a crop in a particular district is below the cut-off figure of 30%, the Centre will equally split the subsidy burden with the State. If the premium is above 30%, the State will have to pay the entire additional amount.
- The CEO of Pradhan Mantri Fasal Bima Yojana (PMFBY) has claimed that the Centre's move to reduce its subsidy share in the case of high premium crops will not increase the cost to farmers. And that, it **should spur States to take steps to ensure that premiums are reduced.**

Issue of high premiums:

- There are **very high premiums in some cases**, with premiums being reported as high as 60%. The lack of long-term, structured and consistent data are the main reasons for these high and unsustainable premiums.
- In such a scenario the **government should be finding other ways to help farmers manage risks.**
- In case of high premiums, it may be that the **crop is simply not viable in that area, in which case also, insurance schemes are unsustainable.**

For more information, read [20 Feb 2020 Comprehensive News Analysis](#).

E. Editorials

Category: HEALTH

1. State lethargy amidst cough syrup poisoning

Context:

- About 12 children died in Udhampur district of Jammu after they consumed poisoned cough syrup (Coldbest-PC).

What led to death of Children?

- The syrup is manufactured by Himachal Pradesh-based pharmaceutical company Digital Vision.
- The suspect product, although manufactured in H.P., has been sold across the country.
- A team of doctors at the Post Graduate Institute of Medical Education & Research, Chandigarh, attributed the deaths to the presence of Diethylene Glycol in the cough syrup which was consumed by all the dead children.

Diethylene Glycol

- It is an anti-freezing agent that causes acute renal failure in the human body followed by paralysis, breathing difficulties and ultimately death.

Similar incidents

- This is the fourth mass glycol poisoning event in India.
- In 1973- An incident at the Children's Hospital in Chennai led to death of many children.
- In 1986, poisoning at Mumbai's J.J. Hospital caused the deaths of 14 patients who were otherwise on the path to recovery.
- In 1998, 33 children died in two hospitals located in New Delhi due to similar poisoning.
- In all three cases, the deaths occurred due to negligence or human error, failure to detect and contain the level of diethylene glycol in the syrup, thereby causing poisoning of the patients who consumed it.

What does the law say?

- Under the Drugs and Cosmetics Act, 1940, regulating the manufacture, sale and distribution of drugs is primarily the concern of state authorities.
- The Central Drug Standard Control Organisation (CDSCO), is responsible for laying down the standards of drugs, coordinating the activities of state regulatory authorities and providing them expert advice.
- The punishment for distributing spurious drugs that can cause death includes 10 years to life imprisonment and a fine of Rs 10 lakh or three times the value of drugs confiscated, according to Drugs and Cosmetics Act, 1940.

Steps to be taken immediately

- The negligence of the manufacturing company has led to death of innocent children. Therefore, legal action has to be initiated and all those responsible should be prosecuted, but the immediate response of doctors, pharmacists and the drug regulators should be to prevent deaths.

- The only way to do so, is to account for each and every bottle of the poisoned syrup that has ever been sold in the Indian market and stop patients from consuming this drug any further.
- Any patient who has consumed even a spoon of the syrup should then immediately be referred to a hospital for treatment.
- While a national recall of this adulterated medicine is the immediate need, the administration also needs to quickly identify which other pharmaceutical companies have received the spurious ingredient that was supplied to the manufacturer in H.P. from a trader in Chennai.
 - It is very likely that the trader in question marketed the same ingredient to other pharmaceutical companies, who, like the manufacturer at the centre of the present scandal, may have failed to test it for its identity and purity.
 - It is important for regulatory enforcement to raid and seize the records of the trader in Chennai and verify its sales.

How United States Food and Drug Administration (USFDA) tackled the problem?

- When the United States faced a similar situation with glycol poisoning in the year 1937, USFDA, its entire field force of 239 inspectors and chemists were assigned to the task of tracking down every single bottle of the drug.
- Even if a patient claimed to have thrown out the bottle, the investigators searched the street until they found the discarded bottle.
- This effort was accompanied by a publicity blitz over radio and television.

Lack of information

- Such public health measures are not being undertaken in Himachal Pradesh (HP).
- The authorities are simply not communicating the seriousness of the issue to the general public.
- At most, the authorities in Himachal Pradesh (H.P.), who are responsible for oversight of the manufacturer of this syrup, have made general statements that they have ordered the withdrawal of the drug from all the other States where it was marketed.
- However, there is no transparency in the recall process and information about recalls and batch numbers is not being communicated through authoritative channels.
- There is no public announcement by the Drug Controller General of India (DCGI), which is responsible for overall regulation of the entire Indian market.
 - The website of the DCGI, which is supposed to communicate drug alerts and product recalls, has no mention of Coldbest-PC as being dangerous.

It could harm the exports

- For more than three decades, India has been the largest supplier of generic medicines in the world. However, the country's pharma industry has never answered satisfactorily the questions that have been asked about the quality of its products.
- In 2015, the EU banned 700 drugs produced in the country.
- In 2019, Indian drug manufacturers received at least 20 letters of warning from the US FDA over the quality of their products.
- In 2019, the Bureau of Pharma PSUs of India, which implements the Pradhan Mantri Janaushadhi Pariyojana, found 25 batches of drugs supplied to the Centre's flagship affordable medicine programme to be substandard.
- Incidents like these, not meeting the standards as prescribed by the global community could harm the reputation of India and ultimately lead to fall in exports as well.

Need for a recall policy

- The 59th report of the Parliamentary Standing Committee on Health as well as the World Health Organization (in its national regulatory assessment) had warned the DCGI on the lack of a national recall framework in India.
- A set of recall guidelines was drafted in 2012 but never notified into law.
- One of the key reasons why the DCGI and state drug authorities have been so sloppy is because unlike other countries, India has not notified any binding guidelines or rules on recalling dangerous drugs from the market.
 - There is scarcely any information-sharing between the Centre and the states and among states.
 - The Central Drugs Standard Control Organization (CDSCO) has not issued binding guidelines to state regulators for recalling medicines that are Not of Standard Quality (NSQ).
 - A batch of drugs that is deemed NSQ in one state could find its way to the market in another.
- So the Govt should notify guidelines for recalling spurious drugs.

Conclusion

- Thus, there is dire urgency of plugging loopholes in the country's drug regulatory regime.

Category: POLITY AND GOVERNANCE

1. Benched by the Bar

Context

- Increasing instances of Bar Associations issuing directives to the Advocates not to take up cases.

Advocates' associations in Karnataka have passed resolutions preventing any legal representation

- **First, was in Mysuru**, when a student who was participating in an anti-CAA protest, holding a poster stating "Free Kashmir", and many others were charged with sedition.
 - The **Mysuru District Bar Association**, passed a resolution directing all lawyers not to file a vakalath and appear for this student, labelling her as "anti-national".
 - The Bar Association went even further and attached a copy of the resolution at multiple locations in the Mysuru City Court Complex and sent messages through print/electronic media to all its member advocates not to represent her.
- **Second, when Kashmiri students** were charged with sedition
 - The **Hubli Bar Association** passed a resolution ordering lawyers not to appear for these students and represent them, despite directions from the **Karnataka High Court** permitting lawyers to represent them and directing that there should be police protection provided.

What does the law say?

- Under the rule of law, no citizen can be denied the right to consult and to be defended by a legal practitioner of her choice.
- As per the code of conduct framed by **the Bar Council of India**, every advocate, on his/her being approached by a litigant, is bound to offer his/her services to him/her unless he has justifiable reason to refuse his/her services.
 - An advocate has to justify the special circumstances for refusing a particular brief.
- Further, the **Supreme Court of India** has restrained the advocates' associations from interfering with the decision of an advocate to appear before the courts and that the advocates who violate such calls **cannot be removed from their membership of that association**.

Cab Rank Rule

- The rule generally followed in Indian courts is what is called the “Cab Rank Rule”. This, simply put, states that a **lawyer cannot deny any person legal assistance who approaches him or her**.
- The “Cab Rank Rule” **finds mention in the Bar Council of India Rules**.
 - The inherent logic behind providing representation to every person is based on the standard rule of thumb that every person is presumed innocent until proven guilty.
- If a person is not provided legal representation and is not allowed to present his case in the court of law, then **his right to fair hearing is impeded and as a result, the entire judicial system suffers**.

Violation of Fundamental Right

Such actions are not only illegal but are also a violation of a Fundamental Right to legal representation guaranteed to all accused persons.

- **Article 22 (1)** of our Constitution guarantees that no person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice.
- The Supreme Court has also held that it is only a lawyer who is conversant with law and can properly defend an accused in a criminal case and if a criminal case (whether a trial or appeal/revision) is decided against an accused in the **absence of a counsel, there will be a violation of the accused’s right to life and liberty under Article 21 of the Constitution**.
- Hence, every accused has a Fundamental Right to legal representation.

Why advocates resist from taking cases if directives are issued by Bar Associations?

- Bar associations passing resolutions asking lawyers to not represent the accused, coupled with **violence** in the court premises, is completely illegal.
- **These resolutions have no binding effect** of, but the violence in the court premises would **deter** any lawyer engaged by the accused to appear for them, or put such lawyers’ **life in danger**.
 - It would certainly ensure that any local lawyer from the district bar would not dare to appear for them.
- The dilemma facing lawyers is that despite the Supreme Court and various high courts striking down such resolutions, lawyers who agree to represent the accused in high-profile cases are **generally treated shabbily by their Bar colleagues as if they were criminals themselves**.
- In number of cases in which advocates are victims, there have been instances of the local bar passing resolution banning advocates from appearing for the accused.

Precedents

- The Supreme Court in the case of **Sukur Ali v. State of Assam (2011)** held that, in a criminal case, even if the counsel engaged for the accused does not appear for any reason, the court should not decide a criminal case against the accused in the absence of his/her counsel and in such a situation the **court should appoint another counsel as amicus curiae to defend the accused**.
 - This is because the liberty of a person is the most important feature of our Constitution and it **cannot be taken away without giving the accused a proper trial** — which means a trial with legal representation.
 - A hearing without a lawyer representing an accused would be one without due process in the constitutional sense.
- “Every person, however wicked, depraved, vile, degenerate, perverted, loathsome, execrable, vicious or repulsive he may be regarded by society, has a right to be defended in a court of law and correspondingly it is the duty of the lawyer to defend him,” **Justice Markandey Katju wrote in a 2010 judgment of the Supreme Court**.

- In **A S Mohammed Rafi vs State Of Tamil Nadu**, the Hon'ble Supreme Court called the resolution passed by the Coimbatore Bar Council to not represent certain accused “wholly illegal and against all traditions of the Bar.”
 - Further, it is stated that the said resolution has resulted in the creation of an **atmosphere of fear and intimidation** due to which none of the Advocates feel safe and secure to appear before the Hon'ble Court and this has had a **chilling effect on advocates** coming forward to represent the accused.
- The courts in the past have interfered and even ordered the transfer of cases from one jurisdiction to another, so that the undue influence of the local bars would be erased and the trial of the case would go on without any hindrance and the rights of all the accused are protected.

Conclusion

- Hence it is the duty of lawyers to uphold and protect the legal and constitutional rights of all.
- There can be no situation under any circumstance where the right to legal representation of any accused is denied.

F. Prelims Facts

Nothing here for today!!!

G. Tidbits

1. WHO raises the global risk of virus to ‘very high’

- As the COVID outbreak eases in China, it is surging elsewhere.
 - The virus has now infected 83,000 globally, with cases being confirmed in around 50 countries. More than 2,800 deaths have been reported.
- **Six countries have reported their first cases.**
 - Mexico, Nigeria, Estonia, Denmark, the Netherlands and Lithuania reported their first cases. Mexico is the second Latin American country to register the virus, after Brazil.
- The rapid spread of the COVID-19 outbreak has **increased fears of a pandemic.**
- **The World Health Organization (WHO) has raised the nCoV’s global spread and impact risk alert to “very high”.**

2. IICT ready to help develop COVID-19 drug

- There have been global efforts to find **a drug for treating COVID-19.**
- A leading global pharma major based in the United States has announced that it would be conducting trials to test **anti-viral medication ‘remdesivir’, a therapy previously tested against Ebola virus.**
- **The CSIR-Indian Institute of Chemical Technology (IICT)** is ready to start preparing the basic molecule which goes into the making of the **active pharmaceutical ingredient (API)** for a drug to tackle the Novel Coronavirus or COVID-19.

3. ‘Alternative medicine systems must undergo rigorous testing’

- Amid the COVID-19 pandemic across the world, an advisory was issued by the **Ministry of AYUSH advocating homeopathic, Unani and ayurvedic medications** for its preventive treatment.
- Though alternative medical systems such as homeopathy could be tested for potential cures, they too need to **conform to protocols of clinical trials.**

- India's R&D workforce had only 15% of women compared to a global average of 30%.

H. UPSC Prelims Practice Questions

Q1. Which of the following pair of stock indices and stock exchanges are correctly matched?

1. Nikkei: Tokyo
2. Kospi: South Korea
3. FTSE 100: London
4. DAX: Frankfurt
5. S&P: United states

Options:

- a. 1 and 5 only
- b. 1,2 and 5 only
- c. 1,3,4 and 5 only
- d. 1,2,3,4 and 5

Answer: Option d

Explanation:

Self-Explanatory.

Q2. Which of the following statement/s is/are correct?

1. Article 82 of the Indian Constitution empowers the Parliament to enact a Delimitation Act after every census.
2. So far, Delimitation Commissions have been set up seven times in India.
3. The orders of the Delimitation Commission cannot be questioned before any court or modified by the legislatures.

Options:

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

Answer: Option b

Explanation:

- Under Article 82, the Parliament enacts a Delimitation Act after every Census. Similar provisions are applicable to the states under Article 170.
- Once the Act is in force, the Union government sets up a Delimitation Commission.
- The first delimitation exercise was carried out in 1950-51. The Delimitation Commission Act was enacted in 1952. Delimitation Commissions have been set up four times — 1952, 1963, 1973 and

2002 under the Acts of 1952, 1962, 1972 and 2002. There was no delimitation after the 1981 and 1991 Censuses.

- The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India.
- The Delimitation Commission in India is a high power body whose orders have the force of law and cannot be called in question before any court.
- The copies of its orders are laid before the House of the People and the State Legislative Assembly concerned, but no modifications are permissible therein by them.
- In 2008, Delimitation was done based on the 2001 census, but the total number of seats in the Assemblies and Parliament decided as per the 1971 Census was not changed.

Q3. The term 'Remdesivir' is associated with?

- a. Plant species with high salt tolerance
- b. The oldest fossil of the mammoth recorded in Asia
- c. Anti-viral medication
- d. Fungal species capable of bio-remediation

Answer: Option c

Explanation:

- 'Remdesivir' is anti-viral medication which was previously tested against Ebola virus and is currently being tried for the treatment of COVID-19.

Q4. Which of the following statements are correct?

1. Index of Eight Core Industries (ICI) is compiled and released by the Ministry of Finance.
2. Index of Eight Core Industries (ICI) is released quarterly.

Options:

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

Answer: Option d

Explanation:

- Index of Eight Core Industries (ICI) is compiled and released by the Ministry of Commerce and Industry.
- Index of Eight Core Industries (ICI) is released on a monthly basis.

I. UPSC Mains Practice Questions

1. Poor oversight, laxity in implementing laws and corruption at the local level, is enabling unscrupulous manufacturers of medicine to operate without penalty. Suggest measures to overcome the issue. (15 Marks, 250 Words)

2. Right to avail legal services of an advocate is a constitutional right of an accused and denying them the right to legal representation violates the principles of the Due Process of Law. Elaborate. (15 Marks, 250 Words)

